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# SPEECH

OF

Thomas Hart

MR. BENTON, OF MISSOURI.

"

IN REPLY TO

MR. WEBSTER.

THE RESOLUTION OFFERED BY MR. FOOT.

RELATIVE TO

**THE PUBLIC LANDS,**

BEING UNDER CONSIDERATION.

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DELIVERED IN THE SENATE, SESSION 1829-30.

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WASHINGTON :

PRINTED BY GALLS & SEATON

1830.

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H.B. 60109

☞ In publishing Mr. BENTON's Speech, in reply to Mr. WEBSTER, it has been deemed fair and candid to prefix to the publication the following extracts from Mr. WEBSTER's printed Speech, to which the reply was principally directed.

### THE EXTRACTS.

"I come now, Mr. President, to that part of the gentleman's speech, which has been the main occasion of my addressing the Senate. The East ! the obnoxious, the rebuked, the always reproached East ! We have come in, sir, on this debate, for even more than a common share of accusation and attack. If the honorable member from South Carolina was not our original accuser, he has yet recited the indictment against us with the air and tone of a public prosecutor. He has summoned us to plead on our arraignment ; and he tells us we are charged with the crime of a *narrow and selfish policy ; of endeavoring to restrain emigration to the West ;* and, having that object in view, of maintaining a steady opposition to Western measures and Western interests. And the cause of all this *narrow and selfish policy*, the gentleman finds in the tariff—I think he called it the accursed policy of the tariff. This policy, the gentleman tells us, requires multitudes of dependent laborers, a population of paupers; and that it is to secure these at home, that the East opposes whatever may induce to Western emigration. Sir, I rise to de-

“fend the East. I rise to repel, both the charge itself,  
 “and the cause assigned for it. *I deny that the East has,*  
 “*at any time, shewn an illiberal policy towards the West.*  
 “*I pronounce the whole accusation to be without the least*  
 “*foundation in any facts, existing either now, or at any*  
 “*previous time. I deny it in the general, and I deny each*  
 “*and all its particulars. I deny the sum total, and I deny*  
 “*the detail. I deny that the East has ever manifested hos-*  
 “*tility to the West; and I deny that she has adopted any*  
 “*policy that would naturally have led her in such a course.*”

“The Indian title has been extinguished at the expense  
 “of many millions. Is that nothing? There is still a  
 “much more material consideration. These colonists, if  
 “we are to call them so, in passing the Alleghany, did  
 “not pass beyond the care and protection of their own  
 “Government. *Wherever they went, the public arm was still*  
 “*stretched over them. A parental Government at home,*  
 “*was still ever mindful of their condition and their wants,*  
 “*and nothing was spared, which a just sense of their ne-*  
 “*cessities required.* Is it forgotten, that it was one of the  
 “most arduous duties of the Government, in its earliest  
 “years, to *defend the frontiers against the Northwestern*  
 “*Indians?* Are the sufferings and misfortunes under  
 “Harmar and St. Clair not worthy to be remembered?  
 “Do the occurrences connected with these military ef-  
 “forts shew an *unfeeling neglect of Western interests.*”

“But the tariff! the tariff!! Sir, I beg to say, in re-  
 “gard to the *East*, that the original policy of the tariff is  
 “*not hers*, whether it be wise or unwise. New England  
 “is not its author. If gentlemen will recur to the tariff  
 “of 1816, they will find that that was *not* carried by New  
 “England votes. It was truly more a Southern than an  
 “Eastern measure. And what votes carried the tariff of  
 “1824? Certainly *not* those of New England. It is  
 “known to have been made matter of reproach, especial-  
 “ly against Massachusetts, that she would *not* aid the  
 “tariff of 1824; and a selfish motive was imputed to her  
 “for that, also. In point of fact, it is true that she did,  
 “indeed, *oppose* the tariff of 1824. There were more  
 “votes in favor of that law in the House of Representa-  
 “tives, not only in each of a majority of the Western  
 “States, but even in Virginia herself, also, than in Mas-  
 “sachusetts. It was literally forced upon New Eng-  
 “land; and this shows how groundless, how void of  
 “all probability any charge must be, which imputes  
 “to her hostility to the growth of the Western States,  
 “as naturally flowing from a cherished policy of her own.  
 “*But leaving all conjectures about causes and motives, I*

*“go at once to the fact, and I meet it with one broad, comprehensive, and emphatic negative. I deny, that in any part of her history, at any period of the Government, or in relation to any leading subject, New England has manifested such hostility as is charged upon her. On the contrary, I maintain that, from the day of the cession of the Territories by the States to Congress, no portion of the country has acted, either with more liberality or more intelligence, on the subject of the Western lands, in the new States, than New England. This statement, though strong, is no stronger than the strictest truth will warrant. Let us look at the historical facts.”*

JANUARY 20, 1830.—*First Day.*

Mr. BENTON said he could not permit the Senate to adjourn, and the assembled audience of yesterday to separate, without seeing an issue joined on the unexpected declaration then made by the Senator from Massachusetts, [Mr. WEBSTER]—the declaration that the Northeast section of the Union had, at all times, and under all circumstances, been the uniform friend of the West, the South inimical to it, and that there were no grounds for asserting the contrary. Taken by surprise, as I was, said Mr. BENTON, by a declaration so little expected, and so much in conflict with what I had considered established history, I felt it to be due to all concerned to meet the declaration upon the instant—to enter my earnest dissent to it, and to support my denial by a rapid review of some great historical epochs. This I did upon the instant, without a moment's preparation, or previous thought; but I checked myself in an effusion, in which *feeling* was at least as predominant as judgment, with the reflection that issues of fact, between Senators, were not to be decided by bandying contradictions across this floor; that it was due to the dignity of the occasion to proceed more temperately, and with proof in hand for every thing that I should urge. I then sat down with the view of recommencing coolly and regularly as soon as I could refresh my memory with dates and references. The warmth of the moment prevented me from observing what was most obvious—namely, that the resolution under discussion was itself the most pregnant illustration of my side of the issue. It is a resolution of direst import to the new States in the West, involving, in its four fold aspect, the stoppage of emigration to that region, the limitation of its settlement, the suspension of surveys, the abolition of the Surveyor's offices, and the surrender of large portions of Western territory to the use and dominion of

wild beasts ; and, in addition to all this, connecting itself, in time and spirit, with another resolution, in the other end of the Capitol, for delivering up the public lands in the new States to the avarice of the old ones, to be coined into gold and silver for their benefit. This resolution, thus hostile in itself, and aggravated by an odious connexion, came upon us from the **NORTHEAST**, and was resisted by the **SOUTH**. Its origin, and its progress, was a complete exemplification of the relative affection which the two Atlantic sections of the Union bear to the West. Its termination was to put the seal upon the question of that affection. The Senator from Massachusetts, (Mr. WEBSTER) to whom I am now replying, was not present at the offering of that resolution. He arrived when the debate upon it was far advanced, and the temper of the *South* and *West* fully displayed. He saw the condition of his friends, and the consequences of the movement which they had made. Their condition was that of a certain army, which had been conducted, by two consuls, into the *Caudine Forks* ; the consequences might be prejudicial to the Northeast—more accurately speaking, to a political party in the Northeast ! His part was that of a prudent commander—to extricate his friends from a perilous position ; his mode of doing it ingenious, that of starting a new subject, and moving the indefinite postponement of the impending one. His attack upon the South was a cannonade, to divert the attention of the assailants ; his concluding motion for indefinite postponement, a signal of retreat and dispersion to his entangled friends. They may obey the signal. They may turn head upon their speeches, and vote for the postponement, and avoid a direct vote upon the resolution, and give up the pursuit after that information which was so indispensable to do justice and to avoid suspicion ; but in doing so, they take my ground against the resolution ; for indefinite postponement is **REJECTION** ; and whether rejected or not, the indelible character of the resolution must remain. It was hostile to the West ! It came from the Northeast ! and was resisted by the South !

Before I proceed to the main object of this reply, I must be permitted, Mr. President, to tear away some ornamental work, and to remove some rubbish, which the Senator from Massachusetts, (Mr. W.) has placed in the way, either to decorate his own march, or to embarrass mine. He has brought before us a certain Nathan Dane, of Beverly, Massachusetts, and loaded him with such an exuberance of blushing honors, as no modern name has been known to merit, or to claim. Solon, Lycurgus, and

Numa Pompilius, are the renowned legislators of antiquity to whom he is compared, and, only compared, for the purpose of being placed at their head. So much glory was earned by a single act, and that act, the supposed authorship of the ordinance of 1787, for the Government of the North Western Territory, and especially of the clause in it which prohibits slavery and involuntary servitude. Mr. Dane was assumed to be the author of this Ordinance, and especially of this clause, and upon that assumption was founded, not only, the great superstructure of Mr. Dane's glory, but a claim also upon the gratitude of Ohio, and all the North West, to the unrivalled legislator, who was the author of their happiness, and to the quarter of the Union which was the producer of the legislator. So much encomium, and such grateful consequences, it seems a pity to spoil ; but spoilt they must be ; for Mr. Dane was no more the author of that Ordinance, Mr. President, than you, or I, who, about that time were "mewling and puling in our nurses' arms." That Ordinance, and especially the non-slavery clause, was not the work of Nathan Dane, of Massachusetts, but of Thomas Jefferson, of Virginia. It was reported by a Committee of three, Messrs. Jefferson, of Virginia, Chase, of Maryland, and Howell, of R. I.—a majority from slave States, in April 1784, nearly two years before Mr. Dane became a member of Congress. The clause was not adopted at that time, there being but six States in favor of it, and the articles of confederation, in questions of that character, requiring seven. The next year, '85, the clause, with some modification, was moved by Mr. King, of New York, as a proposition to be sent to a Committee, and was sent to the Committee accordingly ; but, still did not ripen into a law. A year afterwards, this clause, and the whole Ordinance was passed upon the report of a Committee of six members, of whom, the name of Mr. Dane, stands No. 5 in the order of arrangement on the Journal. There were but eight States present at the passing of this Ordinance, namely, Massachusetts, New York, New Jersey, Delaware, Virginia, North Carolina, South Carolina, and Georgia ; and every one voted for it. [Mr. B. read the parts of the Journal which verified these statements, and continued:] So passes away the glory of this world. But yesterday the name of Nathan Dane, of Beverly, Massachusetts, hung in equipose against half the names of the sages of Greece and Rome. Poetry and eloquence were at work to blazon his fame ; marble and brass, and history and song, were waiting to perform their office. The celestial honors of the apotheosis seem-

ed to be only deferred for the melancholy event of the sepulchre. To-day, all this superstructure of honors, human & divine, disappears from the earth. The foundation of the edifice is sapped; and the superhuman glories of him, who, twenty four hours ago, was taking his station among the demi-gods of antiquity, have dispersed and dissipated into thin air,—vanishing like the baseless fabric of a vision, which leaves not a wreck behind.

So much for the ornamental work; now for the rubbish.

The Senator from Massachusetts, (Mr. W.) has dwelt with much indignation upon certain supposed revilings of the New England character. He did not indicate the nature of the revilings, nor the name of the reviler. I, for one, disclaim a knowledge of the thing, and the doing of the thing itself. I deal in no general imputations upon communities. Such reflections are generally unjust, and always unwise. I am no defamer of New England. The man must be badly informed upon the history of these States who does not know the great points of the New England character. He must poorly appreciate national renown in arms and letters,—national greatness, resting on the solid foundations of religion, morality, and learning, who does not respect the people among whom these things are found in rich abundance. Yet, I must say, the speech of yesterday forces me to say it, that, in a political point of view, the population of New England does not stand undivided before me. A line of division is drawn through the mass, whether “horizontally,” leaving the rich and well-born above, the poor and ill-born below; or, vertically, so as to present a section of each layer, is not for me to affirm. The division exists. On one side of it we see friends who have adhered to us in every diversity of fortune, who have been with us in six troubles, and will not desert us in the seventh; men who were with us in ’98, and in the late war, whose grief and joy rose and sunk with ours in the struggle with England, who wept with us over the calamities of the north-west, and rejoiced in the splendid glories of the south-west! On the other side, we see those who were against us in all these trials; who thought it unbecoming a moral and religious people to celebrate the triumphs of their own country over its enemy, but quite becoming the same people, to be pleased at the victories of the enemy, over their country; who gave a dinner to him that surrendered Detroit. The line of division exists. On one side of it, stands the democracy of New England, to whom we give the right

hand of fellowship at home and abroad ; on the other side, all that stands opposed to that democracy, for whose personal welfare we have the best wishes ; but with whom we must decline, as publicly as it was professed, the honor of that alliance which was yesterday vouchsafed to the West, if not in direct terms, at least by an implication which no one misunderstood. When, then, the People of New England shall read of these revilings, in that well delivered speech of yesterday, let them remember that an issue of fact is joined upon the assertion, and that it is contained in the same speech which supposes Nathan Dane, of Beverly, Massachusetts, to have been the author of a certain production in the year 1786, which the Journals of Congress shew to have been the work of Thomas Jefferson, of Monticello, Vir., in the year 1784 ! The same speech which claims, for New England, the gratitude of the North-western States for passing that ordinance, when the Journals prove, that it had the votes of four States, from the south of the Potomac, and only one from New England ! When it could have passed without the New England vote, but not without three of the Southern ones !

But I did say something which might be understood as a reproach upon some of the leading characters of New England ; it was upon the subject of emigration to the West, and their opposition to it. I quoted high authority at the time, the authority of gentlemen who had served in Congress, and made their statements in the Virginia Convention, under the highest moral responsibilities. Their statement is denied. I will, therefore, produce authority from a different quarter, and of a more recent application ; the letter of a son of New England, to another son of the same quarter of the Union.

### THE LETTER.

“ From the Boston Centinel, April 18th, 1827.

An extract from a letter written by the Hon. JOHN QUINCY ADAMS, while Minister at the Court of Russia, to Dr. BENJAMIN WATERHOUSE, in Cambridge, dated

St. PETERSBURGH, 24th Oct. 1813.

(The Dr. had mentioned the *vast emigration* from New England to the Western Territories, about, and previously to the time of his writing ; to which portion of his letter, Mr. ADAMS replied as follows :—)

“ I am not displeased to hear that *Ohio, Kentucky, Indiana, Louisiana*, are rapidly peopling with Yankees. I consider them as an excellent race of People, and as far as I am able to judge, I believe that their moral and political character, far from degenerating, improves by emigration. I have always felt on that account a sort of predilection for those rising

Western States ; and have seen with no small astonishment, the prejudices harbored against them. There is not upon this globe of Earth, a spectacle exhibited by man, so interesting to my mind, or so consolatory to my heart, as this metamorphosis of howling deserts into cultivated fields and populous villages, which is yearly, daily, hourly, going on by the hands chiefly of New England men, in our Western States and Territories.

“ If New England loses her influence in the Councils of the Union, it will not be owing to any diminution of her population, occasioned by these emigrations: it will be from the *partial, sectarian*, or as Hamilton called it, *clannish* spirit, which makes so many of her *political leaders jealous and envious of the west and South*. This spirit is in its nature *narrow and contracted*; and it always *works by means like itself*. Its natural tendency is to *excite and provoke* a counteracting spirit of the same character; and it has actually produced that effect in our country. It has combined the Southern and Western parts of the United States, not in a league, but in a concert of political views adverse to those of New England. The fame of all the great Legislators of antiquity is founded upon their contrivances to strengthen and multiply the principles of attraction in civil society:—*Our legislators seem to delight in multiplying and fomenting the principles of repulsion.*”

Having read this letter of Mr. Adams, Mr. B. continued. I will make no comment on the language here used. It is sufficiently significant without that trouble.—“ *Partial—sectarian—clannish—jealous—envious—narrow—contracted—excite—provoke—multiplying—fomenting—principles of repulsion*”—are phrases which need no aid from the dictionary to uncover their pregnant meaning. I will only ask for three or four concessions:

1. That the authority of the writer of the letter is canonical, and binding on the church.

2. That it goes the full length of charging the New England leaders of 1813, with opposition to Western emigration.

3. That nothing which I have said of the motives, or conduct of those who oppose this emigration, can compare in severity of expression with the language of Mr. Adams.

4. That the political leaders of whom he spoke as opposing emigration to the West, upon such motives, and by such means, are the same who are now denying it on this floor, and wooing the West into an alliance with them.

I gave yesterday, Mr. President, the brief history of the great attempt in '86,7,8, to surrender the navigation of the Mississippi—to surrender it in violation of the articles of confederation, by a majority of *seven* States, when the requisite majority of *nine* could not be obtained—the



protracted resistance of these attempts by the Southern States—their final defeat by a movement from North Carolina—and the secrecy in which the whole was enveloped. The history of these things were given then; the proofs will be produced now; the epoch and the subject are entitled to the first degree of consideration in this inquiry into the relative affection of two great sections of the Union to a third; for on this question of a surrender of the navigation of the Mississippi, to the King of Spain, commenced that line of separation between the conduct of the Northeast, and of the South, towards the West, which has continued to this day.

The first movement upon this subject was in the winter of '79—80. It came through the French Ambassador, the Chevalier de la Luzerne, the United States having no diplomatic relations, at that time, with the King of Spain. The Chevalier, in a secret communication to Congress, informed them, by the command of the King of France, that the King of Spain would join the United States against England upon four conditions, namely:

1. That the settlements and boundary of the United States should not extend further West than to the heads of the rivers that flowed into the Atlantic ocean.
2. That the exclusive navigation of the Mississippi should belong to Spain.
3. That the Floridas should belong to her.
4. That the Southern States should be restrained from making settlements to the west of the Alleghanies, and that all the country beyond these mountains should be considered as British possessions, and proper objects for the arms, and permanent conquest of Spain. (Secret Journals, vol. 2. p. 310.)

The proffered alliance of Spain, upon these conditions, was rejected by Congress. But her alliance was an object of the first importance, and to obtain it if possible, without the worst of these conditions, Mr. JAY was despatched to Madrid. On the subject of the Mississippi, Mr. JAY was directed to make a *sine qua non* of the free navigation of that river, and the use of a port near its mouth; on the subject of the West, for I limit myself to these points, he was directed to say that the West being settled by citizens of the United States, friendly to the Revolution, Congress would not assign them over to any foreign power. These instructions were *unanimously* given. This was in the commencement of the year '80. One year afterwards, to wit—the 15th of Feb. '81, one month before the battle of *Guilford Court House*, the delegates of Virginia, in pursuance to instructions from their constituents, moved to recede from so much of the

previous instruction of Mr. JAY, as made the free navigation of the Mississippi, *a sine qua non*, PROVIDED, that Spain should “*unalterably*” insist upon it, and not otherwise come into the alliance against England; and that the Minister be “*ordered to exert every possible effort*” to obtain the alliance *without* the surrender of the navigation of the river. On the question to agree to this modification of the instructions, the vote stood—Yeas, Pennsylvania, Virginia, South Carolina, Georgia, New Hampshire, Rhode Island, Delaware, Maryland, (the four latter having but one member each present.) Nays, Massachusetts, Connecticut, and North Carolina. New York divided and not counted.

This, Mr. President, is the case mentioned by Mr. Madison, in the Virginia Convention; the instance of willingness, on the part of the Southern States, to give up the navigation of the Mississippi, and its resistance by the Northern States, to which he alluded. The journals show the facts of the case. They control the recollections of Mr. Madison, and leave me not a word to say. But, the question of this navigation, and these instructions, did not stop here. On the 10th of August following, it was proposed to vest the Minister at Madrid with discretionary power over the navigation of the Mississippi, and unanimously rejected. The proposition stands thus, p. 468 of the 4th volume of the journal:

“That the Minister be empowered to make such further cession of the right of these United States to the navigation of the Mississippi as he may think proper; and on such terms and conditions as he may think most for the honor and interest of these United States.”

Upon the question of adopting this proposition, the votes were unanimously against it, not of States only, but of Members; every Member of every State present voting in the negative. This was a proud instance of unanimity. The result of it was, the acquisition of the alliance of Spain, without a surrender of the great right of navigation in the King of Floods.

The question of the navigation of this river, then slept for four years, until the summer of 1785, when Don Gar-doqui, the Spanish *encargado de negocios*, arrived in the United States, with powers to negotiate a treaty. Mr. Jay, the Secretary of State for Foreign Affairs, was appointed to treat with him. The instructions to Mr. Jay limited his negotiation to two points, namely: *boundaries* and *navigation*; and on this latter point, the last clause of his instructions made the free navigation of the Mississippi and the use of a port near its mouth, an indispensable condition to the conclusion of a treaty. These instruc-

tions seem to have been given with entire unanimity. No division of sentiment appears on the journal, and nearly a whole year elapsed before any thing appears upon the subject of this negotiation, thus committed to Mr. Jay and Don Gardoqui. At the end of that time, it was brought before Congress, by a letter from Mr. Jay, in secret session, and gave rise to proceedings which I beg leave to read, not chusing to trust any thing to my memory, or to risk the possible substitution of my own language for that of the record, in a case of so much delicacy and moment.

*The letter of Mr. Jay to the President of Congress.*

“Office of Foreign Affairs, May 29, 1785.

“SIR : In my negotiations with Mr. Gardequi, I experience certain difficulties, which, in my opinion, should be so managed, as that even the existence of them should remain a secret for the present. I take the liberty, therefore, of submitting to the consideration of Congress, whether it might not be advisable to appoint a committee, with power to instruct and direct me on every point and subject relative to the proposed treaty with Spain. In case Congress should think proper to appoint such a committee, I really think it would be prudent to keep the appointment of it secret, and to forbear having any conversation on subjects connected with it, except in Congress, and in meetings on the business of it.

Signed, &c.

JOHN JAY.”

This letter was referred to a committee of three, namely : Mr. King, of N.Y. Mr. Pettit, of Penn. and Mr. Monroe, of Vir. They reported, that the letter should be taken under consideration, in committee of the whole House. This committee resolved to hear the Secretary in person, fixed a day for his attendance, and ordered him to state the difficulties of which his letter had given intimation.

He did so in a written statement, which, including letters from Don Gardoqui, occupies some thirty pages of the Journal. The points of it, so far as they are material to the question now before the Senate, were, that the pending negotiation for *boundaries* and *navigation*, should also include *commerce*; that the U. States should abandon to the King of Spain the exclusive navigation of the Mississippi, for twenty-five or thirty years, and that Spain should purchase many articles from the United States, of which pickled salmon, train oil, and codfish, were particularly dwelt upon. (*Vol. 4, pages 45 to 63.*) From this instant, Mr. President, the division between the North and South, on the subject of the West, sprung into existence. A series of motions and votes ensued, and a struggle, which continued two years, in which Maryland and all

South, voted one way, and New Jersey, and all North, voted the other. The most important of these motions were, 1, a motion by Mr. King, of N. York, to repeal the clause in the instructions to Mr. Jay which made the navigation of the Mississippi a *sine qua non*, which was carried by the seven Northern States against the others. 2. A motion by Mr. Pinckney, of S. Carolina, to revoke the whole instruction, and stop the negotiation; lost by the same vote. 3. A motion by Mr. Pinckney, seconded by Mr. Monroe, to declare it a violation of the articles of the Confederation for seven States to alter the instructions for negotiating a treaty, those articles requiring the consent of nine States on questions of that kind; lost by the same vote. 4. A motion by the Delegates from Virginia to make it a *sine qua non*, that the citizens of the United States should have the privilege of taking their produce to New Orleans; the U. States to have a Consul, and the citizens Factors there; that the vessels be allowed to return empty, and the produce to be exported on paying a small export duty: lost by the same array of votes. 5. A motion made by Mr. St. Clair, seconded by Mr. King, to make the same proposition, to be obtained, if possible, but not a *sine qua non*; carried by the *ayes* of New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, 7, against the *noes* of Maryland, Virginia, N. Carolina, South Carolina, Georgia, 5 Delaware not present.

I pause a moment, Mr. President, in the narrative of these occurrences to remark that the motion of the Virginia delegation above stated, has been misunderstood; that it has been supposed that that delegation and the South which voted with them, were then in favor of paying tribute to Spain, and abandoning for ever the upward, or ascending navigation of the Mississippi, and that the seven Northern States prevented that calamity to the West. Nothing can be more erroneous than this conception. The attempt of Virginia was to save at all events—to make sure, by a *sine qua non*, of this poor privilege, of exporting, paying an export duty of  $2\frac{1}{2}$  per cent. and returning empty, and this, after seeing that the whole right to the navigation, descending as well as ascending, was to be surrendered for twenty-five or thirty years. The vote of the seven Northern States against the Virginia proposition was to have an opportunity of doing not better, but worse, for the West; to make this same proposition, not an indispensable condition to the conclusion of a treaty, but a mere proposal, to be obtained if it could, and if not, the whole right of navigation to be abandoned for 25 or 30 years. This is what they shewed

to be their disposition in adopting Mr. King's motion immediately after rejecting that of the Virginia delegation. Mr. King's being a substantial copy of the other, except in the essential particulars of the *sine qua non* ; and for this the seven Northern States voted ; the six others opposed it.

I now resume my narrative.

The next motion and vote stands thus upon the Journal of the 28th Sept. '86.

“ Moved by Mr. Pinckney, seconded by Mr. Carrington. That the injunction of secrecy be taken off, so far as to allow the delegates in Congress to communicate to the Legislatures and Executives of their several States, the acts which have passed, and the questions which have been taken in Congress respecting the negotiations between the U. States and his Catholic majesty.

The motion was lost by the following vote :

Massachusetts.—Mr. Gorham, no, Mr. King, no, Mr. Dane, no.

Rhode Island.—Mr. Manning, no, Mr. Miller, no.

Connecticut.—Mr. Johnson, no—Mr. Sturges, no.

New York.—Mr. Haring, no, Mr. Smith, no.

New Jersey.—Mr. Cadwallader, no, Mr. Symmes, ay, Mr. Hornblower, no.

Pennsylvania.—Mr. Pettit, no, Mr. St. Clair, no.

Maryland.—Mr. Ramsay, ay, (not counted.)

Virginia.—Mr. Monroe, ay, Mr. Carrington, ay, Mr. Lee, ay.

North Carolina.—Mr. Bloodworth, ay, Mr. White, ay.

South Carolina.—Mr. Pinckney, ay, Mr. Parker, ay.

Georgia.—Mr. Houston, no, Mr. Few, ay. (Divided.)

In April, 1787, Mr. Madison having become a member of Congress, moved two resolutions, one to transfer the negotiation with Spain from the United States to Madrid : the other to charge Mr. Jefferson, then in France, with the conduct of it. (Secret Journals, vol. 4, p. 339.) The object of these resolutions could not be mistaken. They were referred by Congress to Mr. Jay, Secretary for Foreign Affairs, and still engaged in the negotiation with Don Gardoqui. He reported at large against the expediency of the transfer, treating it as a project to gain time, and complaining that the secret of the Spanish negotiations had leaked out of Congress. This report and the motion of Mr. Madison, seemed to have been undisposed of, when an incident in real life, and the firm stand of one of the States, brought the majority of Congress to a pause, and extricated the Mississippi from its imminent danger. This was the arrest of a citizen of North Carolina, and the confiscation of his vessel and cargo, by the Spanish Governor, Grandpré at Natchez, and the decisive character of the appeal made by the

Legislature, the Governor, and the delegates in Congress from that State, for the redress of that outrage. Mr. Madison availed himself of the feeling produced by these incidents, to make another attempt to get rid of the subject, and, in September 1788, offered a resolution that no further progress be made in the negotiation with Spain, and that the whole subject be referred to the new Federal Government, which was to go into operation the ensuing year. This resolution was agreed to, and the Mississippi saved. Thus ended an arduous and eventful struggle. The termination was fortunate and happy ; but the spirit which produced it has never gone to sleep. The idea that the Western rivers are a *fund* for the purchase of Atlantic advantages, in treaties with Foreign Powers, has been acted upon often since : The Mississippi, the Arkansas, the Red River, the Sabine and the Columbia, can bear witness of this. The idea that the growth of the West was incompatible with the supremacy of the northeast, has since crept into the legislation of the Federal Government, as will be fully developed in the course of this debate.

I have already given the proof of the fact, that the South is entitled to the honor of *originating* the clause against slavery in the Northwest Territory : the state of the votes upon its adoption also shows that she is entitled to the honor of *passing* it ; there being but eight States present, four from each side of the Potomac, only one from New England, and all voting for it. This shows the great mistake which is committed in claiming the merit of that ordinance for the Northeast, and founding upon that claim a title to the gratitude of the Northwestern States. The ordinance of the same epoch, for the sale of the Western lands, has also been celebrated, and deservedly, for the beauty and science of its system of surveys. The honor of this ordinance is also assumed for the Northeast. Let it be so. I know nothing to the contrary, and what I do know, favors that idea. The ordinance came from a committee of twelve, of whom eight were from the North, four from the South side of the Potomac. But, as it came from that committee, it would have left the whole Northwestern region a haunt for wild beasts and savages. The clause which required that every previous township should be sold out complete, before a subsequent one was offered for sale, would have produced this result, and was intended to produce it. Virginia, the South, and some Northern States, expunged that clause ; Massachusetts and some others contended for it to the last. The Northwest is therefore indebted to the South for the sale of its lands.

it is also indebted to it for an unsuccessful attempt to promote the settlement of the country by reducing the size of the tracts to be sold. The ordinance, as reported, fixed 640 acres as the smallest division that might be offered for sale. Mr. Grayson, of Virginia, seconded by Mr. Monroe, moved to reduce the quantity to 320 acres, but failed in the attempt. The Virginia delegation voted for it unanimously; South Carolina and Georgia both voted for it, but having but one member present, the vote did not count. Maryland voted for it; all the rest of the States against it. Another attempt to benefit the settler, and promote the sale of the country, deserves a notice, though unsuccessful. It was the motion to reduce the price, fixed in the ordinance, from one dollar per acre to sixty-six and two-thirds cents. This motion was made by Mr. Beatty, of New Jersey, seconded by Mr. McHenry of Maryland, and was supported by the votes of four States, to wit: New York, New Jersey, Maryland, and South Carolina; Pennsylvania divided, and counted nothing; the rest of the States, Virginia inclusive, voted against it. The motion failed, though respectably supported; the price remained at one dollar, which is twenty-five cents less than the present minimum price of the same lands after forty-five years picking; and it is worthy of remark, that one-third of the States were then, when the lands were all fresh and unpicked, in favor of establishing a minimum price at sixty-six and two-thirds cents per acre; a fraction only over one-half of the present minimum!

I now approach, Mr. President, the subject of most engrossing interest to the young West—its sufferings under Indian wars, and its vain appeals, for so many years, to the Federal Government for succor and relief. The history of twelve years' suffering in Tennessee, from 1780 to 1792, when the inhabitants succeeded in conquering peace without the aid of federal troops; and of sixteen years carnage in Kentucky, from 1774 to 1790, when the first effectual relief began to be extended—would require volumes of detail, for which we have no time, and powers of description, for which I have no talent. Then was witnessed the scenes of woe and death, of carnage and destruction, which no words of mine can ever paint: instances of heroism in men, of fortitude and devotedness in women, of instinctive courage in little children, which the annals of the most celebrated nations can never surpass. Then was seen the Indian warfare in all its horrors; that warfare which spares neither decrepid age, nor blooming youth, nor manly strength, nor infant weakness—in which the sleeping

family awoke from their beds in the midst of flames and slaughter—when virgins were led off captive by savage monsters—when mothers were loaded with their children, and compelled to march ; and when unable to keep up, were relieved of their burthen by seeing the brains of infants beat out on a tree—when the slow consuming fire of the stake devoured its victim in the presence of pitying friends and in the midst of exulting demons ; when the corn was planted, the fields were ploughed, the crops were gathered, the cows were milked, water was brought from the spring, and God was worshipped, under the guard and protection of armed men ; when the night was the season for travelling, the impervious forest the high-way, and the place of safety, most remote from the habitation of man ; when every house was a fort, and every fort subject to siege and assault. Such was the warfare in the infant settlements of Kentucky and Tennessee, and which the aged men, actors in the dreadful scenes, have related to me so many times. Appeals to the Federal Government were incessant and vain, during the long progress of these disastrous wars ; but as the revolutionary struggle was going on during a part of the time, and engrossed the resources of the Union, I will draw no example from that period. I will take a period posterior to the revolution. Three years after the peace with Great Britain, when the settlements in the West had taken a permanent form, when the Indian hostilities were most inveterate, when the Federal Government had a military peace establishment of seven hundred men ; and when the acceptance of the cessions of the public lands in the West, made the duty of protection no less an object of interest to the Union, than of justice and humanity to the inhabitants. I will take the year 1786. What was the relative conduct of the North and South to the infant, suffering, bleeding, imploring West, in this season of calamity to her, and ability in them to give her relief ? What was *then* the conduct of each ? It was that of unrelenting severity on the part of the North—of generous and sympathising friendship on the part of the South ! The evidence which cannot err will prove this, and will cover with confusion the bold declarations which have imposed upon me the duty of this reply. I speak of the Journals of the Old Congress, quotations from which I now proceed to read.

*“Journals of Congress, vol. 4, p. 654.”*

WEDNESDAY, JUNE 21, 1786.

“The Secretary of War, to whom was referred a motion of Mr. GRAYSON, of Virginia, having reported the following resolution :



“ That the Secretary of War direct the commanding officer of the troops to detach two companies to the Rapids of the Ohio, to protect the inhabitants from the depredations and incursions of the Indians.”

Mark well, Mr. President, the terms of this resolution: to *detach* two companies then in service—not to *raise* them; for the purpose of *protecting* the inhabitants, not to *attack* the Indians. No expense in this; a mere change of position to a part of the military force then on foot. Observe the course of treatment the resolution received.

The first movement against it came from the North, in a motion to refer the resolution to a *peace* committee on Indian Affairs. The yeas and nays on that motion were :

Massachusetts—Aye.

New York—Aye.

Maryland—No.

Virginia—No.

North Carolina—No.

Pennsylvania—Divided.

New Jersey—Divided.

New Hampshire, Rhode Island, and Georgia—But one member—not counted.

Delaware and South Carolina Absent.

The motion to refer was thus lost for want of seven ayes.

The second movement was from the South, Mr. LEE, of Virginia, seconded by Mr. GRAYSON, having moved to substitute *four* for *two*, so as to *double* the intended protection.

The vote upon this motion was—

Massachusetts—No.

New York—No.

New Jersey—No.

Pennsylvania—No.

Maryland—No.

North Carolina—No.

New Hampshire—No.

Virginia—Aye.

Georgia—Aye.

Delaware and South Carolina—Absent.

The third trial was on the adoption of the resolution, and exhibited the following vote :

New Hampshire—Mr. LONG,\* aye.

Massachusetts—Mr. Gorham, no, Mr. King, no, Mr. Sedgwick, no, Mr. Dane, no.

Rhode Island—Mr. Manning,\* aye.

New York—Mr. Haring, aye, Mr. Smith, aye.

New Jersey—Mr. Symmes, aye, Mr. Hornblower, aye.

Pennsylvania—Mr. Pettit, aye, Mr. Wilson, aye.

Maryland—Mr. Henry, aye, Mr. Hindman, aye, Mr. Harrison, aye.

Virginia—Mr. Grayson, aye, Mr. Monroe aye, Mr. Lee, aye  
 North Carolina—Mr. Bloodworth, aye, Mr. White, aye.  
 Georgia—Mr. Few, aye.\*

Those marked with an asterisk, having but one number, were not counted. Six States only of those fully represented voted in favor of the resolution ; it was consequently lost ! Lost for want of the vote of one State, and that State was Massachusetts ! The next day that vote was supplied, but not by Massachusetts. Mr. PINCKNEY and Mr. HUGER arrived from SOUTH CAROLINA. Mr. Pinckney, seconded by Mr. Carrington, of Virginia, immediately moved the rejected resolution over again, and SOUTH CAROLINA voting with the *ayes*, made *seven* affirmative States, and carried the resolution.

This, Mr. President, is the history of the first relief ever extended by the Federal Government to the inhabitants of Kentucky. Your State, sir, now painted as the enemy of the West, turned the scale in favor of that small but acceptable succor. It hung upon one vote ; *Massachusetts* denied that vote ! SOUTH CAROLINA came and gave it !

The instant this much was obtained, the generous delegates of the great and magnanimous Virginia commenced operations to procure the real and effectual protection which the case required, namely, an expedition into the Indian territory north of the Ohio river. The Governor of Virginia, on the 16th of May, '86, in a letter to Congress, had recommended this course, and offered the militia of his State to execute it. The letter was referred to a committee of three, Messrs. Grayson and Monroe, of Vir. and Mr. Dane, of Massachusetts. On the 29th of June, just seven days after the vote had passed for detaching two companies to the Falls of the Ohio, Mr. Grayson reported upon the recommendation of the Governor of Virginia. It was such a report as might be expected from a committee of which Virginia delegates constituted the majority. It recommended the expedition, and gave the most solid and convincing reasons for agreeing to it. The whole report is spread upon the Journal of that day, (vol. 4, p. 657.) Justice to the patriots who drew it, and justice also to those who supported, and opposed, it, would require it to be read, but time forbids. I can only repeat, in a condensed recital, its leading contents. It showed that the hostile Indians were bent on war ; that they had treated with contempt the application which the United States had made to them, to meet commissioners at the mouth of the Great Miami, and conclude a peace ; that, issuing from their vast forests beyond the Ohio, and returning to them for refuge, the war was to

them a gratification of their savage thirst for blood and plunder, without danger of chastisement; that, while confined to defence on our side, and offence on their side, they had every motive which their savage policy required, to carry on the war, and no motive to stop it; that a march into their country was the only means of compelling them to accept peace; and, it concluded with a resolution that the two companies ordered to the Falls of Ohio, and one thousand Virginia militia, drawn from the district of Kentucky, under the command of a superior officer, be ordered to march into the hostile Indian territory, armed with the double authority of Commissioner and General, to treat as well as to fight.

We will now see the reception which this report and resolution met with.

The first movement upon it was in the way of a side blow, one of those operations in legislation which have the two-fold advantage of doing most mischief, and doing it without appearing to be absolutely hostile to the measure. It was a motion to *postpone* the consideration of the resolution, for the purpose of considering a proposition which was the reverse of Mr. Grayson's report in all its material facts and conclusions. This new proposition recited, that Congress had received information that *small parties* of Indians had crossed the Ohio, and committed depredations on the district of Kentucky; *but had not sufficient evidence of the aggression or hostile disposition* of any tribes of Indians to justify the United States in carrying the war into the Indian country; and proposed a *Resolve*, that Congress would proceed—in the organization of the Indian Department!!! and adopt such measures as would secure peace to the Indians, and safety to the inhabitants of the frontiers.

Let it be remembered, Mr. President, that this proposition was offered on the 29th of June, 1786, when the Indian war in Kentucky had raged for twelve years, when thousands of men, women, and children, had perished; that it was four years after the great battle of the Blue Licks, that disastrous battle in which the flower of western chivalry was cut down, and the whole land filled with grief and covered with mourning; that it was the very same year in which an offer to treat for peace, at the mouth of the Great Miami, had been contemptuously rejected; and, after recollecting these things, then judge of its statements and conclusions! To me it seems to class itself with the motions afterwards witnessed in the French national convention, to proceed to the order of the day when petitions were presented to save the lives of multitudes upon the point of assassination. The motion to

postpone was made ; the yeas and nays were called for by Mr. Grayson ; the delegations of several States voted for it—and let the journal of the day announce their names.

New Hampshire.—Mr. Livermore, no, Mr. Long, aye.

Massachusetts.—Mr. Gorham, aye, Mr. Ring, aye, Mr. Sedgwick, aye, Mr. Dane, no.

Rhode Island.—Mr. Manning, no.

New York.—Mr. Haring, aye, Mr. Smith, aye.

New Jersey.—Mr. Symmes, no, Mr. Hornblower, aye.

Pennsylvania.—Mr. Pettit, aye, Mr. Bayard, aye.

Maryland.—Mr. Henry, aye, Mr. Hindman, no, Mr. Harrison, no, Mr. Ramsay, no.

Virginia.—Mr. Grayson, no, Mr. Monroe, no, Mr. Carrington, no, Mr. Lee, no.

North Carolina.—Mr. Bloodworth, no, Mr. White, no.

South Carolina.—Mr. Pinckney, no, Mr. Huger, no.

Georgia.—Mr. Few, no.

The motion to postpone was lost, only three States voting for it. Some amendments were agreed in, the resolution put on its passage, and *rejected!* New Hampshire, Massachusetts, New York, New Jersey, Pennsylvania, and Maryland, voting no. Virginia, North Carolina, and South Carolina, aye. Delaware, absent. Rhode Island, but one member present. The vote of Georgia lost by the refusal of a member to vote, [Mr. Houston] who seemed, upon all trial questions between the different sections of the Union, to occupy a false position.

Defeated, but not subdued—repulsed, but not vanquished—invincible in the work of justice and humanity, the Virginia delegation immediately commenced new operations, and devised new plans for the relief of the West. On the very next day, June 30th, a motion was made by Mr. Lee, seconded by Mr. Monroe, to have one thousand men, of the Virginia militia, *held in readiness*, and called out, *in case of necessity*, for the protection of the West. Even this was resisted ! A motion was made by Mr. King, of Massachusetts, seconded by Mr. Long, of New Hampshire, to strike out the number “one thousand.” It was struck out accordingly, there being but five States, to wit : Maryland, Virginia, North Carolina, South Carolina, and Georgia, in favor of retaining it. The resolution, eviscerated of this essential part, was allowed to pass ; and thus, on the 30th day of June, in the year 1786, the Governor of Virginia obtained the privilege from the Continental Congress, to order some militia in Kentucky to hold themselves in readiness to protect the country, in case of necessity ! Thus, at the end of twelve years from the commencement of the Indian wars, Kentucky obtained the assent of Congress to the defence

of herself! Tennessee never obtained that much! She fought out the war from 1780 to 1792 upon her own bottom, without the assent, and against the commands of Congress. Expresses were often despatched to recall her expeditions going in pursuit of Indians who had invaded her settlements. The decisive expedition to the Cherokee town of Nicojac, which was framed upon the plan of Mr. Grayson, was, in legal acceptance, a lawless invasion of a friendly tribe. The brave and patriotic men who swam the Tennessee river, three quarters of a mile wide, in the dead of the night, shoving their arms before them on rafts, and stormed the town, and drove the Indians from the gap in the mountain—the Thermopylæ of the country—and gave peace to the Cumberland settlements—did it with Federal halters round their necks: for the expedition was contrary to law. And now, in the face of history which proclaims, and journals which record, these facts—in contempt of all memory that retains, and tradition that recounts them, Massachusetts and the Northeast, which abandoned the infant west to the rifle, the hatchet, the knife, and the burning stake of the Indians, are to be put forth as the friends of the West! Virginia, and the South, which labored for them with a zeal and perseverance which eventually obtained the kind protection recommended in the report of Mr. Grayson—the expedition of Harmar, St. Clair, and Wayne—are to be set down as their enemies! And upon this settlement of the account, the West is now to be wooed into an alliance with the trainbands of New England federalism—the elite of the Hartford Convention—for the oppression of Virginia and the South, and the subjugation of New England Democracy! History and the journals are to be faced down with the assertion that the protecting arm of the Government was forever stretched over the infant settlements of the West, the North taking the lead of the South in its defence and protection!

Two more brief references to incidents of different characters, but highly pertinent and instructive, will complete my selection of examples from the history of the Old Congress. One was a refusal, on the 25th of July, 1787, to treat for a cession of Indian lands either on the North, or the South side of the Ohio; the other was a refusal, on the 2d of August of the same year, to let Virginia “*be credited*” with the expenses of an expedition which she had carried on in the Winter of ’86-’87, against the Indians on *both* sides of the Ohio river, because that expedition was “*not authorized*” by the United States. The journals of the day will shew the particulars, and exhibit the delegation of Massachusetts

that Nathan Dane included, who is now to be set up as the founder, legislator, and benefactor of the Northwest—as heading the opposition on both occasions. And here I submit, that, thus far, the assertion of the Senator from South Carolina, [Mr. HAYNE] that the West had received hard treatment from the Federal Government, is fully sustained. His remark was chiefly directed to the hard terms on which they get lands; but it holds good on the important point of long neglect, the effect of Northern jealousy, in giving protection against the Indians.

JANUARY 29, 1830.—*Second Day.*

I resume my Speech, said Mr. B. at the point at which it was suspended, when I gave way to the natural and laudable impatience of the Senator from South Carolina, who sits on my right (Mr. HAYNE) to vindicate himself, his State, and the South, from what appeared to me to be a most gratuitous aggression. Well and nobly has he done it. Much as he had done before to establish his reputation as an orator, a statesman, a patriot, and a gallant son of the South, the efforts of these days eclipse and surpass the whole. They will be an era in his Senatorial career which his friends and his country will mark and remember, and look back upon with pride and exultation.

Before I go on with new matter, said Mr. B. I must be permitted to reach back, and bring up, in the way of recapitulation, and for the purpose of joining together the broken ends of my speech, the heads and substance of the great facts which I quoted and established at the commencement of this reply. They are:

1. The attempt of the seven Northern States in 1786, 87—88, to surrender the navigation of the Mississippi, to the King of Spain.

2. The attempt to effect that surrender, in violation of the articles of confederation, by the votes of seven States when nine could not be had.

3. The design of this surrender, to check the growth of the West.

4. The clause in the first Ordinance for the sale of the public lands, in the North Western Territory, which required the previous townships to be sold out complete before the subsequent ones could be offered for sale.

5. The refusal to sell a less quantity than 640 acres together.

6. The refusal to reduce the minimum price from one dollar, to sixty six and two thirds cents, per acre.

7. The opposition, in 1786, to the motion to detach two companies to the Falls of the Ohio, for the protection of Kentucky against the incursions and depredations of the Indians.

5. The opposition to Mr. GRAYSON's unanswerable report, in the same year, in favor of sending an expedition into the hostile Indian country.

9. The refusal, at the same time, to permit Virginia to hold "one thousand" of her own militia in readiness to protect Kentucky.

10. The refusal, in 1787, to treat for a cession of Indian lands on either side of the Ohio.

11. The refusal in the same year to let Virginia "*be credited*" with the expenses of an expedition, carried on in the winter of '86, '87, by her troops, on both sides of the Ohio river for the defence of the West.

12. The refusal for twelve years, from '74 to '86, to send any aid to Kentucky.

13. The refusal, throughout the entire war, to send any aid to the Cumberland settlements in Tennessee.

14. The opposition to western emigration, as proved by Mr. Adams's letter.

In all these instances, and I have omitted a thousand others, having confined myself to a single and brief period by way of example, and that period the one when the termination of the revolutionary war, peace with all the world, and a standing force of 700 men, made it easy to give protection to the West; and when the cession of the western lands to the federal government for the payment of the revolutionary debt, and the establishment of new States in the Northwest, devolved the business of Western protection upon the federal government, no less as an object of interest to themselves, than of duty to the settlers. In all these instances I have exhibited the States of Massachusetts and Virginia as antagonist powers, the one opposing, the other supporting, the measures favorable to the West, and each supported by more or less of its neighboring States.

The Senator from Massachusetts, (Mr. WEBSTER,) has since occupied the floor two days, and has taken no notice of facts so highly authenticated, drawn from sources so wholly unimpeachable, and so pointedly conflicting with the denials and assertions which he has made on this floor. It is not for me to account for this neglect, or forbearance. Rhetoricians lay down two cases in which silence upon the adversaries' arguments, is the better part of eloquence; first, where they are too insignificant to merit any notice; secondly, where they are too well fortified to be overthrown. In such cases it is recommended as the safest course, to pass them by without notice, and, as if they had not been heard. I do not intimate which, or if either of these rules governed the conduct of the Senator from Massachusetts. I can very well conceive of a third, and

very different reason for this inattention—a reason which was seen in the fulness of the occupation which the Senator from South Carolina (Gen. HAYNE) had given him. True, the Senator from Massachusetts tells us that he felt nothing of all that—that the arrows did not pierce—and makes a question whether the arm of the Senator from South Carolina was strong enough to spring the bow? This he repeated so many times, and with looks so well adjusted to the declaration, that we all must have been reminded of what we have read in ancient books, of the brave gladiator who, receiving the fatal thrust which starts the cry of “*hoc habet*” from the whole amphitheatre, instead of displaying his wound, and beseeching pity, collects himself over his centre of gravity, assumes a graceful attitude, dresses his face in smiles, bows to the ladies, and acts the unhurt hero in the agonies of death.

But admitting that the arrows did not pierce: What then? Is it proof of the weakness of the arm that sprung the bow, or of the impenetrability of the substance that resisted the shaft? We read in many books of the polished brass that resists, not only arrows, but the iron-headed javelins, thrown by gigantic heroes. But, pierced or not pierced, we have all witnessed one thing; we have seen the Senator from Massachusetts occupy one whole day in picking these arrows out of his body; and to judge from the length and seriousness of this occupation, he might be supposed to have been stuck as full of them as the poor fellow whose transfixed effigy on the first leaf of our annual almanacs attracts the commiseration of so many children.

I pass by these inquiries, Mr. President, and come to the things which concern me most;—the renewed and repeated declarations of the Senator from Massachusetts, (Mr. W.) that from first to last, from the beginning to the ending of the chapter of this Government, all the measures favorable to the West, have been carried by northern votes, in opposition to southern votes; that this has always been the case; that there are no grounds for asserting the contrary; and that the West is ungrateful to desert these ancient friends in the North for a new alliance in the South. These, sir, are the things for me to attend to. They concern me somewhat, because I have asserted the contrary; they concern the Union much more, because upon the propagation and belief of these assertions depends a most unhallowed combination for the Government of this Confederacy, commencing in the oppression of one half of it, and ending in the ruin of the whole. These considerations impel me forward, and impose upon me the high obligation to make out my



case; to shew the South to be the ever generous friend of the West,—the democracy of the North the same,—and the political adversariss of both, to have been the unrelenting enemies of the West, until new views, and recent events, have substituted the soft and sweet game of amorous seduction for the ancient and iron system of contempt and hostility. In discharging this duty, I shall confine myself to an elevated selection of historical facts,—to the great epochs, and great questions, which are cardinal in their nature, notorious in their existence, eventful in their consequences, and pertinent in their application, to the trial of the issue joined. On this plan, skipping over many minor measures, I come to the great epoch of the Louisiana purchase, and the resulting measures connected with that event.

The first point of view under which we must look at that great measure, Mr. President, is its incredible value, and the absolute necessity, then created by extraordinary events, for making the acquisition. The West at that period (1803,) was filling up with people, and covering over with wealth and population. It was no more the feeble settlement which the Congress of the Confederation had seen, and whose right, few as they were, to the free navigation of the Mississippi, had given birth to the most arduous struggle ever beheld in that Congress. *States* had superceded these infant settlements. Ohio, Kentucky, and Tennessee, had been admitted into the Union: the territories of Indiana, Illinois, and Mississippi were making their way to the same station. The Western settlements of Pennsylvania and Virginia lined the left bank of the Ohio for half the length of its course. All was animated with life, gay with hope, independent in the cultivation of a grateful soil, and rich in the prospect of sending their accumulated productions to all the markets of the world, through the great channel which conducted the King of Rivers to the bosom of the Ocean. The treaty with Spain in the year 1795 had guaranteed this right of passage; had stipulated, moreover, for a right of deposite in New Orleans; with the further stipulation that, if this place of deposite should ever be denied, another should immediately be assigned, equally convenient for storing produce and merchandize, and for the exchange of cargoes between the river and the sea vessels. This right of deposite, thus indispensable, and thus secured, was violated in the fall of 1802. New Orleans, at that time, was suddenly shut up, and locked against us, and no other place was assigned at which western produce could be landed, left, or sold. The news of this event stunned the West. I well recollect the effect upon

the country, for I saw it, and felt it in my own person. I was a lad then, the eldest of a widow's sons—was living in Tennessee, and had come into Nashville to sell the summer's crop, and lay in the winter's supplies. We raised cotton, then, in that Southern part of Tennessee, and the price of fifteen cents a pound which had been paid for it, and three or four hundred pounds to the acre, and so many acres to the hand, had filled us all with golden hopes. I came into Nashville to sell the Summer's crop. I offered it to the merchant—a worthy man—with whom we dealt. His answer, and the reason, came together, and gave the first intelligence of my own loss and the calamity of the country. Not a cent could he give for the cotton, for he was not a griper to take it for a nominal price. Not an article could be advanced upon the faith of it—not even the indispensable item of one barrel of salt. The salt and the articles were indeed furnished, and upon indulgent terms, but not upon the faith of the cotton; that was recommended to be laid away, and to wait the course of events. This was the state of one and of all—of the entire country—Tennessee, Kentucky, Ohio, the western counties of Pennsylvania and Virginia; the territories of Indiana, Illinois and Mississippi. Every where, at every farm, the labor of the year was annihilated; the produce of the fields seemed to be changed into dust—struck by the wand of an enchanter which transformed cotton, tobacco, and hemp, into the useless leaves of the forests. The shock was incredible, the sensation universal, the resentment overwhelming, the cry for redress loud and incessant. Congress met. That great man was then President, whose memory it has been my grief and shame to see struck at, this day, on this floor. The energy of the People, and the blessing of God, had just made THOMAS JEFFERSON President of these United States. It was a blessed election, and a providential one, for the People of the West! *Upon that event depended the acquisition of Louisiana!* Congress met. The outrage at New Orleans was the main topic in the President's message. His public message to the House of Representatives, replete with the spirit which filled the West, is known to the Union. His confidential message to the Senate is not known. It has been locked up, until lately, in the sealed book of our secret proceedings. That seal is now broken, and I will read the part of this confidential message which developed the means of recovering, enlarging, and securing our violated rights, and asked the aid of the Senate in doing so. It is the message which nominated the Ministers to France who made the purchase of Louisiana.

*The Message—Extract.*

“While my confidence in our Minister Plenipotentiary at Paris is entire and undiminished, I still think that these objects might be promoted by joining with him a person sent from hence directly, carrying with him the feelings and sentiments of the nation excited on the late occurrence, impressed by full communications of all the views we entertain on this interesting subject, and thus prepared to meet and improve, to an useful result, the counter propositions of the other contracting party, whatsoever form their interest may give to them, and to secure to us the ultimate accomplishment of our object: I, therefore, nominate R. R. Livingston to be Minister Plenipotentiary, and James Monroe to be Minister Extraordinary and Plenipotentiary, with full powers to both jointly, or to either, on the death of the other, to enter into a treaty or convention with the First Consul of France, for the purpose of enlarging, and more effectually securing, our rights and interests in the river Mississippi, and in the territories Eastward thereof.”

The reason for sending an additional Minister is here stated, and stated with force and clearness. Mr. Livingston was in Paris, and, however faithful and able he might be, he was a stranger to the feelings excited by the occasion. The addition of Mr. Monroe would only make an embassy of two persons. Embassies of three, as in the mission to the French Republic in '98, and of five, as at Ghent, in 1815, have been seen in our country. An embassy of two, in such a case as the violation of our right of deposit at New Orleans, and only one of them fresh from the United States, could not be considered extraordinary, or extravagant. The selection of Mr. Monroe was, of all others, the most fit and acceptable. He was a citizen of Virginia—that great State, which had been the most early, stedfast, and powerful friend of the West; he was the champion of the Mississippi in that struggle of two years, under lock and key, when seven States undertook to surrender the navigation of that river; he was the Ambassador called for by the public voice of the South and West, and Mr. Randolph was the organ of that voice on the floor of the House of Representatives, when he declared that Mr. Jefferson could nominate no other person than Mr. Monroe. He was nominated. I have shewn the message that did it, and the reasons that influenced the President. Let us now continue our reading of the journal, and see how that nomination was received by the Senators from the *North* and from the *South*.

*The Journal.*

“Wednesday, January 12th, 1803.

“The Senate took into consideration the message of the President of the United States, of January 11th, nominating

Robert R. Livingston to be Minister Plenipotentiary, and James Monroe to be Minister Extraordinary and Plenipotentiary, to enter into a treaty or convention with the First Consul of France, for the enlarging and more effectually securing our rights and interests on the river Mississippi; and

“*Resolved*, That they consent and advise to the appointment of R. R. Livingston, agreeably to the nomination.

“On the question, Will the Senate consent and advise to the nomination of James Monroe? the yeas were, Messrs. Anderson, Baldwin, Bradley, Breckenridge, Clinton, Cocke, Ellery, T. Foster, Franklin, Jackson, Logan, Nicholas, Stone, Sumpter, and Wright—15. The nays, Messrs. Dayton, Dwight, Foster, Hillhouse, Howard, J. Mason, Morris, Ogden, Olcott, Plumer, Tracy, Wells, and White—12.”

Fifteen for, twelve against, the nomination of Mr. Monroe. A majority of three votes in his favor; which is a difference of two voters; so that the nomination of Mr. Monroe, lacked but two of being rejected. Whence came these twelve? Every one from the North of the Potomac, nearly all from New England, and the whole from the ranks of that political party whose survivors, and residuary legatees, are now in hot pursuit of the alliance of the West! If any evidence is wanting to shew that the vote against Mr. Monroe was a vote against the object of his mission, it will be found, ten days afterwards, in the same journal upon the passage of a Bill appropriating two millions of dollars to accomplish the purposes of the mission. On this bill the vote stood

YEAS.—“Messrs. Anderson, Baldwin, Bradley, Breckenridge, Clinton, Cocke, Ellery, T. Foster, Jackson, Logan, S. T. Mason, Nicholas, Sumpter, and Wright.—14.”

NAYS.—“Messrs. Dayton, Dwight Foster, Hillhouse, Howard, J. Mason, Morris, Olcott, Plumer, Ross, Stone, Wells and White.—12.”

Mr. Monroe went. Fortune was at work for the West, while nearly one half of the American Senate, and a large proportion of the House of Representatives, were at work against her. War between France and England was impending; the loss of Louisiana in that war was among the most certain of its events; to get rid of the Province before the declaration of hostilities, was the policy of the First Consul; and the cession to the United States was determined on before our Minister could arrive. This was the work of Providence, or Fortune, which no one here could foresee; which few are lawyerlike enough to lay hold of to justify the previous opposition to Mr. Monroe, and the vote against the two millions. The treaty of cession was signed by the First Consul; was brought home, made known to the nation, and received in the South and West, with one universal

acclaim of joy. Throughout the South and West it was hailed as a national benefaction, prepared by Fortune, seized by Jefferson, and entitled to the devout thanksgiving of the American people. Not so in the north-east. There a violent opposition broke out against it, upon the express ground that it would increase the power of the West; and when the treaty came up for ratification in the Senate, it received seven votes against it, being so many of the same party which had voted against the nomination of Mr. Monroe and the appropriation of two millions. In the House of Representatives the money bill for carrying the treaty into effect was voted against by twenty-five members, nearly the whole from the geographical quarter, and from the political party, that had opposed the treaty in the Senate.

The crisis was over; the great event was consummated. Louisiana was acquired; the navigation of the Mississippi secured; the prosperity of the West established forever. The glory of Jefferson was complete. He had found the Mississippi the boundary, and he made it the centre of the Republic. He re-united the two halves of the Great Valley, and laid the foundation for the largest empire of freemen that Time or Earth ever beheld. He planted the seed of imperishable gratitude in the hearts of myriads of generations who shall people the banks of the Father of Floods, and raise the votive altar, and erect the monumental statue, to the memory of *him* who was the instrument of God in the accomplishment of so great a work. And great is my grief and shame to have lived to see *his* name attacked in the American Senate! To have been myself the unconscious instrument of clearing the way for an impeachment of *his word*! and that upon the recollections of memories from whose tablets the stream of time may have washed away this small part of their accumulated treasures.

Let us pause, Mr. President, and reflect for a moment, upon the consequences to the West, and to the Union, if President Jefferson had not seized the opportunity of purchasing Louisiana; or, having purchased it, the Senate, or the House of Representatives, should have rejected the acquisition. In the first place, it is to be remembered, that France, emerging from the vortex of her revolution, overflowing with warriors, and governed by the Conqueror, who was catching at the sceptre of the world, was *then* the owner of Louisiana. The First Consul had extorted it from the King of Spain in the year 1800; and the violation of the right of deposit at New-Orleans, was his first act of ownership over the new possession, and the first significant intimation to us, of the

new kind of neighbor that we had acquired. Contemporaneously with this act of outrage upon us, was the concentration of twenty-five thousand men, under the general of division, afterwards Marshal Victor, in the ports of Holland, for the military occupation of Louisiana. So far advanced were the preparations for this expedition, that the troops were ready to sail ; and commissaries to provide for their reception, were engaged in New-Orleans and St. Louis, when the transfer of the province was annouced. Now, sir, put it on either foot : Louisiana remains a French, or becomes a British, possession. In the first contingency, we must have become the ally, or the enemy, of France. The system of Bonaparte admitted of no neutrals ; and our alternatives would have been, between falling into the train of his continental system, or maintaining a war against him upon our own soil. We can readily decide, that the latter would have been most honorable ; but it is hard to say, which would have been most fatal to our prosperity, and most disastrous to our republican institutions. In the second contingency, and the almost certain one, we should have had England established on our western, as well as on our northern frontier ; and I may add, our southern frontier also ; for Florida, as the property of the ally of France, would have been a fair subject of British conquest in the war with France and Spain, and a desirable one, after the acquisition of Louisiana, and as easily taken as wished for ; the vessel that brought home the news of the victory at Trafalgar, being sufficient to summon and reduce the places of Mobile, Pensacola, St. Marks, and St. Augustine. This nation, thus established upon three sides of our territory, the most powerful of maritime powers, jealous of our commerce, panting for the dominion of the seas, unscrupulous in the use of savage allies, and nine years afterwards to be engaged in a war with us ! The results of such a position, would have been, the loss, for ages and centuries, of the navigation of the Mississippi ; the permanent occupation of the Gulf of Mexico by the British fleet ; the consequent control of the West Indies ; and the ravage of our frontiers by savages in British pay. These would have been the permanent consequences, to say nothing of the fate of the late war, commenced with our enemy encompassing us on three sides with her land forces, and covering the ocean in front with her proud navy, victorious over the combined fleets of France and Spain, and swelled with the ships of all nations. From these calamitous results, the acquisition of Louisiana delivered us ; and the heart must be but little turned to gratitude and devotion, which does not adore

the Providence that made the great man President, who seized this gift of fortune, and overthrew the political party that would have rejected it.

The treaty was ratified, and not much to spare ; one-third of the Senate would have defeated it, and the votes stood 7 to 24. But the ratification was only one half the business ; many legislative enactments were necessary to make the new acquisition available and useful, and the whole of these measures received more or less of determined opposition from the same geographical quarter and political party which had opposed the purchase. I will specify a few of the leading measures to which this opposition extended.

1. The bill to enable the Senate to take possession of Louisiana : Nays in the Senate—Messrs. Adams, Hillhouse, Olcott, Pickering, Plumer, Tracy.

2. The bill to create a fund in stock for the Louisiana debt : Nays—Messrs. Hillhouse, Pickering, Tracy, Wells and White.

3. The bill for extending certain laws of the United States to Louisiana : Nays—Messrs. Adams, Plumer, and Wells.

Among the laws to be thus extended, were all those for the regulation of the Custom House, navigation and commerce. If it had been rejected, New Orleans could not have been used as an American port.

4. The bill to establish a separate territory in Upper Louisiana : Nays Messrs. Adams, Olcott, Hillhouse, Plumer and Stone.

5. The bill to extend the powers of the Surveyors General to Louisiana : Nays—Messrs. Adair, Adams, Bayard, Bradley, Gilman, Hillhouse, Pickering, Plumer, Smith, of Md. Smith, of Vermont, Wright—all North of the Potomac except one.

This vote, Mr. President, is the connecting link between the non-settlement clause, or the sell-out-complete clause, in the ordinance of 1785, and the non-survey, and non-emigration resolution now under debate. The three acts stand at twenty years apart—a wide distance in point of time—but they lie close together in spirit and intention, and announce a never-sleeping watchfulness over the prevention of Western settlement and Western improvement.

6. Various bills for the confirmation of private claims, generally opposed by the like number of votes and voters.

7. The bill for the admission of the State of Louisiana into the Union : Nays—Messrs. Bayard, Champlin, Dana,

German, Gilman, Goodrich, Horsey, Lloyd, Pickering and Reed.

8. The bill to authorize the State of Louisiana to accept an enlargement of its territory : Nays—Messrs. Bradley, Franklin, Gorman, Gilman, Lambert, Lloyd and Reed.

This bill was passed after West Florida was reduced to the possession of the United States. Its object was to permit the State of Louisiana, if she thought proper, to include within her limits all the territory East of the lakes Ponchartrain and Maurepas, the river Iberville, and East of the Mississippi, (above that river) to the line of the Mississippi Territory, and out to Pearl river. The importance of it will be seen by knowing that the State of Louisiana, at that time, included no territory East of the Mississippi, but the Isle of Orleans.

9. The resolutions of the Legislature of Massachusetts, in June, 1813, asserting the unconstitutionality of the act of Congress which admitted the State of Louisiana into the Union, and extended the laws of the United States thereto, and instructing the Massachusetts delegation in Congress to do their best to obtain its repeal. I will read them :

#### THE MASSACHUSETTS RESOLUTIONS.

“ Resolutions of the Legislature of Massachusetts, reported by a committee composed of Messrs. Josiah Quincy, Ashman and Fuller, on the part of the Senate ; and Messrs. Thatcher, Lloyd, Hall and Bates, on the part of the House, and recorded in the Boston Centinel, June 26th, 1813, appended to a long report, viz :

“ *Resolved*, As the sense of this Legislature, that the admission into the Union of States created in countries not comprehended within the original limits of the United States, is not authorized by the letter or the spirit of the Federal Constitution.

“ *Resolved*, That it is the *interest* and duty of the people of Massachusetts to oppose the admission of such States into the Union, as a measure tending to the *dissolution* of the confederacy.

“ *Resolved*, That the act passed the eighth day of April, 1812, entitled an act for the admission of Louisiana into the Union, and to extend the laws of the United States to the said State, is a violation of the Constitution of the United States ; and that the Senators of this State in Congress be instructed, and the Representatives be requested to use the utmost of their endeavors to obtain a repeal of the same.”

This was the solemn act of Massachusetts, governed by that political party, which now seeks the command of the West, under the name of an alliance ! The Senator from Louisiana, who sits on my left, (Mr. JOHNSTON) ad



heres with a generous devotion—I call it generous, for it survives the downfall of its object—to that party which passed these resolutions, and would have kept his State out of the Union, and by consequence, himself out of this chamber. I do not reproach such generosity, but I contend for its limitation. The heart of that Senator belongs to his country, and I trust that his country will again possess him. He and I were once together. Our separation was from a point, and by slight degrees, though now so wide, like the travellers in the desert, parting from each other on two diverging lines; for a long time within hail—a long time in view—at last completely separated—but never way-layers nor destroyers of each other. I shall hope to see him return to the right line, and join his old companions. Nothing has happened to make him, or them, blush, at finding themselves again together. [Mr. B. here said something to Mr. JOHNSON (who sat near him) in an under tone, and in a playful mood—*en badinant*—the purport of which was, that he would wish to see him laid on the shelf, for a while, notwithstanding.]

The admission of the State of Mississippi into the Union furnishes me with the next example in support of my side of the issue joined. It was no part of the Territory of Louisiana, but a part of the original territory of the United States. Constitutional objections could not reach it, yet it met with the usual quantum of opposition. It was a Western measure, and what was worse, a South-western measure, and the Journals of the Senate exhibit eleven nays to its admission. They were Messrs. Ashmun, Dagget, Goldsborough, Hunter, King, Macon, Mason, of N. H., Smith, Thompson, Tichenor, and Varnum. The name of the venerable Macon, which appears in this list, may be seized upon to cover the motives of all the others; but to do that it should first be shewn that he and they voted upon the same motive. We know that votes may sometimes be alike and the motives be different. That the vote of Mr. Macon was unfriendly to the Southwest, is a supposition contradicted by the acts of half a century; that the vote of the others was unfriendly, may be decided by the same test, the tenor of all previous conduct. After all, the instance would go but a short distance towards proving, “that every measure, favorable to the West, had been carried by New England votes in opposition to Southern votes.”

I come now to the admission of Missouri, but do not mean to dwell upon it. The event is too recent—the facts connected with it, too notorious—to require proof, or even to admit of recital, here. The struggle upon

that question, divided itself into two parts ; the first, to prevent the existence of slavery in Missouri ; the second, to secure the entrance of free blacks and mulattoes into it. Each part of the struggle divided the Union into two parts, the Potomac and Ohio the dividing line, with slight exceptions ; the South in favor of the rights of Missouri, the North against them. In the ranks of the latter were seen all the survivors of the ancient advocates for the surrender of the Mississippi—all the survivors of those who in the Congress of the confederation opposed the protection of the West ; all the opponents to the acquisition of Louisiana ; all the power of the federal party ; and all the gentlemen of the Northeast who are now paying their addresses to the West. The contest, upon its face, was a question of slavery and the rights of free negroes and mulattoes ; in its heart, it was a question of political power, and so declared upon this floor by Mr. King, of New York. It was a terrible agitation, and convulsed the country, and, in a certain quarter of the country, swept all before it. The gentleman who has moved this resolution—the resolution now under discussion—was the victim of that storm, (Mr. Foot, of Conn.) He was then a member of the House of Representatives. He would not join in this crusade against Missouri, and he fell under the displeasure of his constituents. But he fell on the side of honor and patriotism, with his conscience and his integrity in his arms ; and the consequence of such a fall is to rise again, and to ascend higher than ever. The gentleman will appreciate the spirit in which I speak. My encomiums, poor as they may be, here, or elsewhere, are neither profuse nor indiscriminate. I do justice to the motive which has made him the mover of the resolution to which I am so earnestly opposed. He believes it to be right, and that belief, erroneous as I hold it to be, is the effect of that unhappy part of our political system which makes the representatives of remote States judges of the local measures of another State, with the proprieties of which they have no means of personal information. I oppose his resolution to the uttermost, but I respect his motive ; I thank him for his vote in favor of Missouri in the crisis of her struggle, and for his motion some days ago in favor of donations to actual settlers. We may contend upon points of policy ; but here, and elsewhere, and above all in Missouri, if found there, I, and mine, will do honor to him and his.

Yes, sir, the Missouri struggle is too recent to admit of recitals, or to require proofs. It was but the other day that it all occurred ; but the other day that the Representative and the Senators of that State, myself one of them,

were repulsed from the doors of Congress, and *deforced*, for one entire session, of their legitimate seats among you. And, what is now incredibly strange, what surpasses imagination, and staggers credulity, is to see myself called upon to deny that scene ; called upon to treat the whole as an optical illusion ; to reverse it, in fact, and submit to the belief that those whose blows we felt kicking and shoving us out, were the ones that drew us in ! and those whose helping hands we felt drawing and hauling us in, are the identical ones who kicked and shoved us out !

The State of Missouri, Mr. President, was kept out of the Union one whole year for the clause which prohibited the future entry and settlement of free people of color. And what have we seen since ? The actual expulsion of a great body of free colored people from the State of Ohio, and not one word of objection, not one note of grief, from those who did all in their power to tear up the Constitution and break the Union to pieces, because, at some future day, it might happen that some free blacks would wish to emigrate to Missouri, and could not do it for this clause in her Constitution ! The papers state the compulsory expatriation from Cincinnati at two thousand souls ; the whole number that may be compelled to expatriate from the State of Ohio, at ten thousand ! This is a remarkable event, sir, paralleled only by the expulsion of the Moors from Spain, and the Hugonots from France. Let me not be misunderstood : I am not complaining of Ohio. I admit her right to do what she did. We are informed that this severe measure was the consequence of enforcing an old law, made for the benefit of the slave holding States, and now found to be as necessary to Ohio as to them, and by which she has relieved herself, in thirty days, of the accumulated evil of thirty years. I complain not of this. My present business is with those who kept me out of my seat, kept my State out of the Union, and did all in their power to break up this Confederacy, because free people of color were prohibited from coming to live in Missouri !

My occupation, for the present, is with these characters—“*Les Amis des Noirs*”—the friends of the blacks—*then* so plenty, *now* so scarce ! Where are they ? Where gone ? How shrunk up ? Not even one friend, one voice here ! Where are the crowds that *then* thronged the public meetings ? Where the tongues which were *then* so fluent ? The sighs, then so piercing ? The eyes, then so wet with tears ? All gone ; all silent ; all hushed ! The thronged crowd has disappeared ; the fluent tongue has cleaved to the roof of the mouth, the piercing sigh has died away, and the streaming eye, exhausted of its

fluid contents, has dried up to the innermost sources of the lachrymal duct, and hangs over the pitiable scene, with the arid composure of a rainless cloud in the midst of the sandy desert. The Senator from Massachusetts, [Mr. W.] so copious and encomiastic upon the subject of Ohio, so full and affecting upon the topic of freedom, and the rights of freemen in that State, was incomprehensibly silent, and fastidiously mute, upon the question of this wonderful expatriation; an expatriation which sent a generation of free people from a republican State to a monarchical province, to seek, in a strange land, and beyond the icy lakes, the hospitality and protection of a foreign king! For them he had nothing to say. Their condition attracted no part of his regards. They are gone; unwept and unsung, they have gone to experience the fate, and to renew the history, of the abducted slaves of the Revolution, who were taken from their homes and their masters, collected into a settlement in the British province of Nova Scotia, became a pestilence there, and were exiled to Sierra Leone, to perish under the climate and the savages. For these people, and the pitiable fate that awaits them, the eloquent disclaimer upon the blessings of liberty in Ohio, had nothing to say. I thought, indeed, at one time, he was taking their track: it was when he was engaged in that lively personification of the soil of Ohio, which would not bear the tread of a slave's foot upon it; which rebelled, and revolted, against the servile impression until it threw off and discharged, the base, incongruous load; something like a kicking up horse, when a monkey is put upon his back. I thought, at that time, that the metaphorical orator, pushing his tropes and figures to that "bourne" from which some flights of eloquence have never returned, was going to put the climax upon the regurgitative faculties of this miraculous soil, and show us, in this great emigration of free blacks, that it would not bear the tread of a foot that ever had been in slavery! But, suddenly, and to me unexpectedly, his ideas took another turn. Instead of crossing the Lakes to pity the blacks, he crossed the river to pity the whites. He faced about to the South, crossed over into Kentucky, made a domiciliary visit into the country—and fell, incontinently, to shingling the ground, and blacking the inhabitants, until they all looked like ebonies, and were mired, thirty layers deep, in conflicting land titles. When I saw that, Mr. President, I smote my breast, and heaved a sigh, at the sad vicissitude of human affections. I felt, if I did not cry out, for Kentucky! Poor Kentucky! But yesterday, the loved and cherished object of all affection!

the engrossing theme of every praise ! Now scanned and criticised ! Her faults all told, and counted ! Her value cast up ! The sum found less ! and the late adored object, thrown "*as a worthless weed away !*"

FEBRUARY 1, 1830.—*Third Day.*

I was on the subject of slavery, Mr. President, as connected with the Missouri question, when last on the floor. The Senator from South Carolina, [Mr. HAYNE,] could see nothing in the question before the Senate, nor in any previous part of the debate, to justify the introduction of that topic : neither could I. He thought he saw the ghost of the Missouri question brought in among us : so did I. He was astonished at the apparition : I was not ; for a close observance of the signs in the West had prepared me for this development from the East. I was well prepared for that invective against slavery, and for that amplification of the blessings of exemption from slavery, exemplified in the condition of Ohio, which the Senator from Massachusetts indulged in, and which the object in view required to be derived from the North East. I cut the root of that derivation by reading a passage from the Journals of the old Congress ; but this will not prevent the invective and eulogium from going forth to do their office ; nor obliterate the line which was drawn between the free State of Ohio and the slave State of Kentucky. If the only results of this invective and eulogium were to exalt still higher the oratorical fame of the speaker, I should spend not a moment in remarking upon them. But it is not to be forgotten that the terrible Missouri agitation took its rise from the "substance of two speeches" delivered on this floor ; and, since that time, anti-slavery speeches, coming from the same political and geographical quarter, are not to be disregarded here. What was said upon that topic was certainly intended for the North side of the Potomac and Ohio ; to the People, then, of that division of the Union, I wish to address myself, and to disabuse them of some erroneous impressions. To them I can truly say, that slavery, in the abstract, has but few advocates or defenders in the slaveholding States, and that slavery as it is, an hereditary institution descended upon us from our ancestors, would have fewer advocates among us than it has, if those who have nothing to do with the subject, would only let us alone. The sentiment in favor of slavery was much weaker before those intermeddlers began their operations than it is at present. The views of leading men in the North and the South were indisputably the same in the earlier periods of our Government. Of this our legislative his-

tory contains the highest proof. The foreign slave trade was prohibited in Virginia as soon as the Revolution began. It was one of her first acts of sovereignty. In the Convention of that State which adopted the Federal Constitution, it was an objection to that instrument that it tolerated the African slave trade for twenty years. Nothing that has appeared since has surpassed the indignant denunciations of this traffic by Patrick Henry, George Mason, and others in that Convention. The clause in the Ordinance of '86 against slavery in the North-West, as I have before shown, originated in a Committee of three members, of whom two were from slave-holding States. That clause, and the whole Ordinance, received the vote of every slave State present, at its final passage. There were but eight States present, four from the South of the Potomac, and only one from New England. It required seven States to pass the Ordinance ; it could have been passed without the New England State, but not without three at least of the Southern ones. It had all four : Virginia, the two Carolinas, and Georgia. Compare this with the vote on the Missouri restriction, when intermeddlers and designing politicians had undertaken to regulate the South upon the subject of slavery ! The Report in the House of Representatives, some twenty years ago, against the application from Indiana, for a limited admission of slaves, was drawn by Mr. Randolph ; the same Mr. Randolph whose declaration in the House of Representatives only three years ago, that he would hang any man who would bring an African into Virginia—was falsified for the basest purposes, by substituting "Irishman" for African ! Yes, sir, slavery as it is, and as it exists among us, would have fewer advocates, if those who have nothing to do with it would let it alone. But they will not let it alone. A geographical party, and chiefly a political *caste*, are incessantly at work upon this subject. Their operations pervade the States, intrude into this chamber, display themselves in innumerable forms, and the thickening of the signs announces the forthcoming of some extraordinary movement. Sir, I regard with admiration, that is to say with wonder, the sublime morality of those, who cannot bear the abstract contemplation of slavery, at the distance of five hundred or a thousand miles off. It is entirely above, that is to say, it affects a vast superiority over the morality of the primitive Christians, the Apostles of Christ, and Christ himself. Christ and the Apostles appeared in a province of the Roman empire, when that empire was called the Roman world, and that world was filled with slaves. Forty millions was the estimated number, being one-

fourth of the whole population—single individuals held twenty thousand slaves. A freed-man, one who had himself been a slave, died the possessor of four thousand—such were the numbers. The rights of the owners over this multitude of human beings, was that of life and death, without protection from law, or mitigation from public sentiment. The scourge, the cross, the fish-pond, the den of the wild beast, and the arena of the gladiator, was the lot of the slave, upon the slightest expression of the master's will. A law of incredible atrocity made all slaves responsible with their own lives, for the life of their master ; it was the law that condemned the whole household of slaves to death, in case of the assassination of the master ; a law under which as many as four hundred have been executed at a time. And these slaves were the white people of Europe, and of Asia Minor, the Greeks, and other nations, from whom the present inhabitants of the world derive the most valuable productions of the human mind. Christ saw all this—the number of the slaves—their hapless condition—and their white color, which was the same with his own ; yet he said nothing against slavery ; he preached no doctrines which led to insurrection and massacre ; none which, in their application to the state of things in our country, would authorize an inferior race of blacks to exterminate that superior race of whites, in whose ranks he himself appeared upon earth. He preached no such doctrines ; but those of a contrary tenor, which inculcated the duty of fidelity and obedience on the part of the slave ; humanity and kindness on the part of the master. His Apostles did the same. St. Paul sent back a runaway slave to his owner, Onesimus, with a letter of apology and supplication. He was not the man to harbor a runaway, much less to entice him from his master ; and least of all, to excite an insurrection.

Slavery, which once filled the Roman world, has disappeared from most of the countries which composed that great dominion. It has disappeared from nearly all Europe, and from half the States of this Union. There and here it has ceased upon the same principle—upon the principle of economy, and a calculation of interest ; a calculation which, in a certain density of population, and difficulty of subsistence, makes it cheaper to hire a man than to own him ; cheaper to pay for the work he does, and hear no more of him, than to be burthened with his support from the cradle to the grave. Slavery never ceased any where on a principle of religion : the religion of all nations consecrates it. Its abolition cannot be enforced among Christians, on that ground, with-

out reproaching the founder of their religion. Many who think themselves Christians, are now engaged in preaching against slavery, but they had better ascertain whether they have fulfilled the precepts of Christ, before they assume a moral superiority over him, and undertake to do what he did not. To the politicians who are engaged in the same occupation, it is needless to give the like admonition. They have their views, and the success of these would be poorly promoted by following the precepts of the Gospel. Their kingdom *is* of this world, and to reach it, they will do the things they ought not, and leave undone the things which they ought to do. Slavery will cease, in the course of some generations, in several of the States where it now exists, and cease upon the same principle on which it has disappeared elsewhere. In some parts it is not sustainable now upon a calculation of interest. Habit and affection is the main bond. A great amelioration in the condition of the slave has taken place. In most of the States they are as members of the family, and in all the essential particulars of labor, food, and raiment, they fare as the rest of the laboring community. Some masters are cruel; but the laws condemn such cruelty, and, what is more effectual than the law, is the abhorrence of public sentiment. But cruelty is not confined to the black slave; it extends to the white apprentice, to the orphans that are bound out, and to the children of the poor that are hired to the rich. Many of these can, and often do, tell pitiable tales of stinted food, and excessive work—of merciless beatings, brutal indignities, and precocious debaucheries. The advance of the public mind has been great upon the subject of slavery. Let any one look back to the conferences at Utrecht in 1712, when England was ready to continue the greatest of her wars for the sake of the *asiento*—the contract for supplying Spanish America with slaves—and see the conduct of the Virginia Assembly in 1776, and England herself in 1780, denouncing and punishing that traffic as a crime against God and man. It has not advanced of late, but retrograded. I speak of these United States. Witness the two epochs of the ordinance of '86, and the admission of Missouri in 1820. Intrusive, and political intermeddling, produced this reverse. Such meddling can do no good to the objects of its real, or affected commiseration. It does harm to them. It prevents the enactment of some kind laws, and occasions the passage of some severe ones. It totally checks emancipation, and deprives the slave of instruction, as the most merciful way of saving him from the penalties of murder and insurrection, which the reading of incendiary pamphlets might lead him to incur.



I have been full, I am afraid tedious, Mr. President, on the subject of slavery. My apology must be found in the extraordinary introduction of this topic by the Senator from Massachusetts (Mr. WEBSTER.) I foresee that this subject is to act a great part in the future politics of this country ; that it is to be made one of the instruments of a momentous movement—not for dividing the Union—something more practicable and more damnable than that. The prevention of a world of woe may depend upon the democracy of the non-slaveholding States. The preservation of their own republican liberties may depend upon it. Never was their stedfast adhesion to the principles they profess, and to their natural allies, more necessary than at present. To them I have been speaking ; to them I continue to address myself. I beseech and implore them to suffer their feelings against slavery to have no effect upon their political conduct ; to join in no combinations against the South for that cause ; to leave this whole business to ourselves. I think they can well let it alone, upon every principle of morals or policy. Are they Christians ? Then they can tolerate what Christ and the Apostles could bear. Are they Patriots ? Then they can endure what the Constitution permits. Are they philosophers ? Then they can bear the abstract contemplation of the ills which afflict others, not them. Are they friends and sympathisers ? Then they must know that the wearer of the shoe knows best where it pinches, and is most concerned to get it off. Are they republicans ? Then they must see the downfall of themselves and the elevation of their adversaries, in the success of a crusade, under federal banners, against their natural allies, in the South and West.

Let the democracy of the North remember, that it is the tendency of all confederacies to degenerate into a sub-confederacy among the powerful, for the government and oppression of the weaker members. Let them recollect that ambition is the root of these sub-confederacies ; religion, avarice, and geographical antipathies, the instruments of their domination ; oppression, civil wars, pillage, and tyranny, their end. So says the history of all confederacies. Look at them. The Amphictyonic league—a confederacy of thirty members—received the law and the lash from Sparta, Thebes, and Athens. The Germanic confederation, of three hundred States and free cities, was governed by the nine great electorates, which ruled and pillaged as they pleased : the Imperial Diet being to them something like what the Supreme Court is proposed to be here, a tribunal before which the States and free cities could be called, placed under the ban of the Em-

pire, and delivered up to military execution. The seven United Provinces ; the strong province of Holland alone deciding upon all questions of peace and war, loans and taxes, and dragooning the inferior provinces into acquiescence and compliance. The thirteen Swiss Cantons, in which the strong, aristocratic Cantons pillaged and ravaged the weak ones on account of their religion and democracy, often calling in the Dukes of Savoy to assist in the chastisement. Let the democracy of the North remember these things, and then eschew, as they would fly the incantations of the serpent, the syren songs of ancient foes who would enlist their feelings in a concert of action which is to end in arraying one-half of the States of this Union against the other. Have we no ambition in this Confederacy ? no means of enabling it to work as in Greece, Germany, Holland, and the Swiss Cantons ? Look at the fallen leaders, panting for the recovery of lost power. Look at the ten millions of surplus in the Treasury, after the extinction of the public debt—at the three hundred millions of acres of public land in the new States and Territories—at the forty millions of exports of the South, and see if there be not, in the modes of dividing these, among certain strong States, for internal improvement, education, and protection of domestic industry, ample means for acting on the feelings of avarice. Look at the excitements getting up about Indians, slaves, masonry, Sunday mails, &c. and see if there are no materials for working upon religion or fanaticism.

The Senator from Massachusetts, (Mr. W.) had a vision, Mr. President, in the after part of his second day's speaking. He saw an army with banners, commanded by the new Major General of South Carolina, the Senator who sits on my right, (General HAYNE) marching forward upon the Custom House in Charleston, sometimes expounding law as a civilian, sometimes fighting as a General. It was a pleasant vision, sir, but no more than a vision. Now, Mr. President, I can have a vision also, and of a banner, with inscriptions upon it, floating over the head of the Senator from Massachusetts, (Mr. W.) while he was speaking:—the words "MISSOURI QUESTION, COLONIZATION SOCIETY, ANTI-SLAVERY, GEORGIA INDIANS, WESTERN LANDS, MORE TARIFF, INTERNAL IMPROVEMENT, ANTI-SUNDAY MAILS, ANTI-MASONRY." A cavalcade under the banner,—a motley groupe,—a most miscellaneous concourse,—the speckled progeny of many conjunctions,—veteran Federalists, benevolent females, politicians who have lost their *caste*—National Republicans—all marching on to the next Presidential election, and chanting the words on the banner, and repeating, "under

"these signs we conquer." Did you see it, Mr. President? Your look says No. But I cannot be *looked* out of my vision. I did see something, the shade at least of a substance—the apparition of a real event—making its way from the womb of time, and casting its shadow before. I shall see it again—at Philippi—and that before the Greek kalends—about the ides of November, 1832.

I mean no disrespect, sir, to the benevolent females for whom I have found a place in this procession. Far from it. They have earned the place by the part they are acting in the public meetings for the instruction of Congress on the subject of these Georgia Indians. For the rest, I had rather take my chance, in such a cavalcade, among these benevolent females, than among the unbenevolent males; had rather appear in the feminine, than in the masculine gender; had rather march in bonnet, cloak, and petticoats, than in hat, coat, and pantaloons. With the aid of the famous corset-maker, Madame Cantalo, to draw me up a little, I had rather trip it along as a Miss, in frock and pantalets, than figure as a war chief of the Georgia Cherokees, bedecked and bedizzened in all the finery of paint and feathers. I had rather be on foot among the damsels than on horse among the leaders; white, black, and red. I apprehend these leaders will be on foot on the return march, dismounted and discomfited, unhorsed and unharnessed, better prepared for the flight than the fight, and *leading* the ladies out of danger after having *led* them into it. In that retreat I would recommend it to the benevolent females, to place no reliance upon the performances of their delicate little feet. Their unequal steps would vainly strive to keep up with the "*double quick time*" of their swift conductors. No helping hand then to be stretched back for the "*little Iulus*." It would be a race that Virgil has described, a long interval between the great heroes ahead, and the little ones behind. I would recommend it to these ladies, not to douse their bonnets, and tuck up their coats, for such a race, but to sit down on the way side, and wait the coming of the conquerors. The new Major General of South Carolina will then be in the field in reality; his banner will then be seen, not advancing upon a custom house, but pursuing the flying host of the National Republicans, and from him the "*benevolent females*" will have nothing to fear.

I come now, Mr. President, to a momentous period in this Union, one well calculated to test other questions besides that of relative friendship to the West: I speak of the late war with Great Britain. We began it for wrongs on the ocean, but the West quickly became its

principal theatre, and in the beginning encountered defeats and disasters, which called for the aid and sympathy of other parts of the Union. I say nothing about the declaration of war; that was a question of opinion, and might have two sides to it; but after the bloody conflict was begun, there was but one side for Americans. The Senator from Massachusetts has laid down the law of duty to a citizen, (when the Government has adopted a line of policy) in accounting for his support of the tariff of 1828, after opposing that of 1824. The Government had adopted the tariff policy, he says, and thereupon it became his duty to support that policy. I will not stop to inquire how far future opposition was concluded in such a case. It is sufficient, for my present purpose, to shew that the Senator from Massachusetts has laid down this acquiescence in, and support of, the policy of the Government, in a case of common and ordinary legislation; after that, it cannot be denied, in the highest of all cases, to which it can apply, that of a foreign war, and that war calamitous to his own country. New England, more accurately speaking, the then dominant party in New England, opposed the declaration of war, and that after a leader of that party had declared upon the floor of the House of Representatives, that the Administration could not be kicked into war. She opposed the declaration; but I leave that out of the question. The war is declared, it is commenced, it is disastrous; and the heaviest disasters fall upon the West. Her armies are beaten; her frontier posts taken; her territory invaded. Her soil is red with the blood, and white with the bones of her sons. Her daughters are in mourning: the land is filled with grief; and cries for succor pervade the Union. Where was then relief for the West? What was then the conduct of the North-east? What the conduct of the South? \* \* \* \* \* The Senator from South Carolina, (Gen. HAYNE,) has shewn you what was the conduct of the North-east. He has read the acts which history, and his eloquence will deliver down to posterity, shewing that the then dominant party in New England, was as well disposed to aid the enemy as to aid the West. He shewed that it was a main object of the Hartford Convention to exclude the West from the Union. The Senator from Massachusetts made light of these readings; he called them uncanonical collects. In one respect a part of them were like a collect; they came from the pulpit; but instead of being prayers, unless the prayers of the devil and his black angels be understood, they were curses, execrations, and damnation to the West. The Senator from Massachusetts denied

their authority, and washed his hands of them. I will, therefore, read him something else ; the authority of which will not be so readily denied, nor the hands so easily washed of. I speak of a speech delivered on the floor of the House of Representatives about the middle of the late war, when things were at their worst, and of certain votes upon the army bill, the militia bill, the loan bill, the tax bill, and the Treasury note bill. And first of the speech. It purports to have been delivered by the Senator, to whom I am now replying, in the session of 1813-14, on the discussion of the bill to fill the ranks of the regular army.

THE SPEECH.—*An Extract.*

“ It is certain that the real object of this proposition to increase the military force to an extraordinary degree, by extraordinary means, is to act over again the scenes of the two last campaigns. To that object I cannot lend my support. I am already satisfied with the exhibition.

“ Give me leave to say, sir, that the tone on the subject of the conquest of Canada seems to be not a little changed. Before the war, that conquest was represented to be quite an easy affair. The valiant spirits who meditated it, were only fearful lest it should be too easy to be glorious. They had no apprehension, except that resistance would be so powerful as to render the victory splendid. \* \* \* How happens it, sir, that this country, so easy of acquisition, and over which, according to the prophecies, we were to have been, by this time, legislating, dividing it into States and Territories, is not yet ours? Nay, sir, how happens it, that we are not even free of invasion ourselves; that gentlemen here call on us by all the motives of patriotism, to assist in the defence of our own soil, and pourtray before us the state of the frontiers, by frequent and animated allusion to all those topics which the modes of Indian warfare usually suggest?

“ This, sir, is not what we were promised. This is not the entertainment to which we were invited. This is no fulfilment of those predictions, which it was deemed obstinacy itself not to believe. This is not the harvest of greatness and glory, the seeds of which were supposed to be sown, with the declaration of war.

“ When we ask, sir, for the causes of these disappointments, we are told that they are owing to the opposition which the war encounters, in this House and among the people. All the evils which afflict the country are imputed to the opposition. This is the fashionable doctrine, both here and elsewhere. It is said to be owing to opposition that the war became necessary; and owing to opposition also that it has been prosecuted with no better success.

“ This, sir, is no new strain. It has been sung a thousand times. It is the constant tune of every weak or wicked administration. What Minister ever yet acknowledged, that the evils which fell on his country, were the necessary consequen-

ces of his own incapacity, his own folly, or his own corruption ?  
 What possessor of political power ever yet failed to charge the  
 mischiefs resulting from his own measures, upon those who had  
 uniformly opposed those measures ?

\* \* \* \* \*

“ You are, you say, at war for maritime rights and free trade. But they see you lock up your commerce, and abandon the ocean. They see you invade an interior province of the enemy. They see you involve yourselves in a bloody war with the native savages : and they ask you if you have in truth, a maritime controversy with the Western Indians, and are really contending for sailors’ rights with the tribes of the Prophet.”

This speech requires no comment, and will admit of none. Its own words go beyond any that could be substituted. “ Valiant spirits—too easy to be glorious—tone changed—prophecies unfulfilled—frontiers invaded—assistance called for—entertainment—animated allusions to the modes of Indian warfare—bloody war with the Savages—contending with tribes of the Prophet for sailors rights—weak and wicked—folly and corruption—lend no support—satisfied with the exhibition.”

These phrases of cutting sarcasm, of cool contempt, of bitter reproach, and stern denial of succor, deserve to be placed in a parallel column with what we have just heard of love to the West, and of the protecting arm extended over her. I will not dwell upon them ; but there are two phrases which extort a brief remark : “ Satisfied with the exhibition ”—“ lend no support.” What was the exhibition of these two campaigns, the first and second of the war, to which this expression of satisfaction, and denial of support, extends ? It was this : In the Southwest, the massacre at Fort Mimms ; the Creek nation in arms ; British incendiaries in Pensacola and St. Marks, exciting Savages to war and slaves to rebellion ; the present President of the United States at the Ten Islands of the Coosa river, in a stockade of twenty yards square, with forty young men of Nashville, holding the Creek nation in check, and calling for support. In the Northwest, all the forts which covered the frontiers, captured and garrisoned by the enemy ; Michigan Territory reduced to the condition of a British province ; Ohio invaded ; the enemy encamped, and entrenched, upon her soil ; the British flag flying over it—over that soil of Ohio which, according to what we have just heard, could not bear the tread of a slave, now trod in triumph by the cruel Proctor and his ferocious myrmidons. This is the exhibition which the first and second campaigns presented in the West—for I limit myself to that quarter of the Union, the present question

being one of relative friendship to the West. This is the exhibition which the West presented—these the scenes which called for succor, and to relieve which the extract that I have read declares that none would be lent. The author of that speech was satisfied with this exhibition; he would do nothing to change it. The political and geographical party with which he acted, were equally well satisfied, and equally determined to let things remain as they were. They voted accordingly against every measure for the relief of the bleeding and invaded West; against the bill to fill the ranks of the regular army—against the bill to call out the militia—against the bill to borrow money—against the bill to lay taxes—against the bill to issue Treasury notes! The Journals of Congress will shew the recorded votes of those who now set up for the exclusive friends of the West, in opposition to all these bills. The reading of the yeas and nays, on the whole of these measures, would be tedious and unnecessary; a single set will shew how they stood in every instance. I select, for my example, the vote in the House of Representatives on the passage of the bill the discussion of which called forth the speech from which an extract has been made.

### THE VOTE.

#### YEAS.

#### NAYS.

#### NEW HAMPSHIRE.

Messrs. Cilley, Hale, Vose,  
Webster, Wilcox.

#### MASSACHUSETTS.

Messrs. Hubbard, Parker.

Baylies, Bigelow, Bradbury,  
Brigham, Davis, Dewey, Ely,  
King, Pickering, John Reed,  
Wm. Reed, Ruggles, Ward,  
Wheaton, Wilson.

#### CONNECTICUT.

Champion, Davenport, Law,  
Moseby, Pitkin, Sturges, Taggart.

#### NEW YORK.

Avery, Fisk, Lefferts,  
Sage, Taylor.

Geddes, Grosvenor, Kent,  
Lovett, Miller, Moffitt, Oakley,  
Post, Shepperd, Smith,  
Winter.

#### VERMONT.

Bradley, Fisk, Skinner.

#### RHODE ISLAND.

Jackson, Potter.

#### NEW JERSEY.

Hasbrouck, Ward.

Boyd, Cox, Huffy, Schureman,  
Stockton.

## YEAS.

## NAYS.

## PENNSYLVANIA.

Anderson, Bard, Brown, Markell.  
 Conard, Crawford, Crouch,  
 Findlay, Glasgow, Griffith,  
 Ingersoll, Ingham, Lyle, Pi-  
 per, Rea, Roberts, Seybert,  
 Smith, Tannehill, Udree,  
 Whitehill, Wilson.

## DELAWARE.

Cooper, Ridgely.

## MARYLAND.

Archer, Kent, McKim,  
 Moore, Nelson, Ringgold,  
 Wright.

## VIRGINIA.

Burwell, Clopton, Dawson, Bayly, Caperton, Lewis,  
 Eppes, Gholston, Hawes, Hun- Sheffey.  
 gerford, Jackson, Johnson,  
 Kerr, McCoy, Newton, Plea-  
 sants, Rich, Roane, Smith.

## NORTH CAROLINA.

Alston, Forney, Franklin, Culpeper, Gaston, Pier-  
 Kennedy, Macon, Munfree, son, Stanford, Sherwood, and  
 Yancey. Thompson.—58.

## SOUTH CAROLINA.

Calhoun, Chappell, Cheves,  
 Earle, Evans, Gordon, Ker-  
 shaw, Lowndes.

## GEORGIA.

Barnet, Forsyth, Hall,  
 Telfair, Troup.

## KENTUCKY.

Clark, Desha, Duvall, Mc-  
 Kee, Montgomery, Ormsby,  
 Sharp.

## TENNESSEE.

Bowen, Grundy, Harris,  
 Humphreys, Rhea, Sevier.

## OHIO.

Alexander, Beale, Cald-  
 well, Creighton, Kilbourn,  
 McLean.

## LOUISIANA.

Robertson.—97.

Such were the votes of the North and South on the passage of this bill. Such were the votes of the then dominant party, of the North East, in that dark hour of calamity, and trial, to the West. Such was their answer in reply to our calls for help,—even the calls of that Ohio, which is now the cherished object of all affection, the chosen theme of highest eulogy, the worshipped star in that new constellation of superior planets, which



are to shed, not, their "selectest influences," but, "disastrous twilight, on half the States." It is not for me, Mr. President, to trace a parallel between these votes, and the words, and acts of the same political party, in the States, from which the voters came. It is not for me to measure the difference between the conduct which gives aid to the enemy, and that which denies aid to your own country. The question is a close one, and may exercise the ingenuity of those who can detect the difference between the "West side, and the North West side of a hair." It is not for me to confound these votes, and the extract of the speech, with the words and acts of those who received the successes of their own country with grief, & its defeats with joy; who held "soft intercourse" with the enemy when he had established himself upon the soil, and upon the calamities, of this Union; who saw with savage exultation the cruel massacre, and dreadful burning, of the wounded prisoners at the river Raisin, and gave vent to their hellish joy, from the holy pulpit, in the impious declaration that, "God had given them blood to drink." It is not for me to confound these things; it may be for others to unmix them. I turn to a more grateful task,—to the contemplation of the conduct of the South, in the same season of wo and calamity. What was then their conduct? What their speeches, and their votes, in Congress? Their efforts at home? Their prayers in the temple of God? Time and ability would fail in any attempt to perform this task; to enumerate the names and acts of those generous friends, in the South, who then stood forth our defenders and protectors, and gave us men and money, and beat the domestic foe in the Capitol, while we beat the foreign one in the field. Time, and my ability, would fail to do them justice; but there is one State in the South, the name and praise of which, the events of this debate would drag from the stones of the West, if they could rise up in this place and speak! It is the name of that State upon which the vials, filled with the accumulated wrath of years, have been suddenly and unexpectedly emptied before us, on a motion to postpone a land debate. That State whose microscopic offence in the obscure parish of Colleton, is to be hung in equipose, with the organized treason, and deep damnation, of the Hartford Convention: That State, whose present dislike to a Tariff which is tearing out her vitals, is to be made the means of exciting the West against the whole South: That State, whose dislike to the tariff laws, is to be made the pretext for setting up a despotic authority in the Supreme Court: That State, which, in the old Congress in 1785, voted for the reduction of the price of Public Lands, to

about one half of the present minimum ; which, in 1786 redeemed, after it was lost, and carried by its single vote, the first measure that ever was adopted for the protection of Kentucky, that of the two companies sent to the Falls of Ohio : That State, which in the period of the late war, sent us a LOWNDES, a CHEVES, and a CALHOUN, to fight the battles of the West in the Capitol, and to slay the Goliaths of the North : That State which, at this day, has sent to this chamber, the Senator (Genl. HAYNE,) whose liberal and enlightened speech on the subject of the Public Lands, has been seized upon, and made the pretext, for that premeditated aggression upon South Carolina, and the whole South, which we have seen met with a promptitude, energy, gallantry, and effect, that has forced the assailant to cry out, an hundred times, that he was still alive, though we all could see that he was most cruelly pounded.

Memory, Mr. President, is the lowest faculty of the human mind—the irrational animals possess it in common with man—the poor beasts of the field have memory. They can recollect the hand that feeds, and the foot that kicks them ; and the instinct of self preservation, tells them to follow one, and to avoid the other. Without any knowledge of Greek or Latin, these mute, irrational creatures “fear the Greek offering presents ;” they shun the food, offered by the hand that has been lifted to take their life. This is their instinct ; and shall man, the possessor of so many noble faculties, with all the benefits of learning and experience, have less memory, less gratitude, less sensibility to danger, than these poor beasts ? And shall he stand less upon his guard, when the hand, that smote, is stretched out to entice ? shall man, bearing the image of his Creator, sink thus low ? shall the generous son of the west fall below his own dumb and reasonless cattle, in all the attributes of memory, gratitude, and sense of danger ? shall his “*Timeo Danaos*” have been taught to him in vain ? shall he forget the things which he saw, and part of which he was—the events of the late war—the memorable scenes of fifteen years ago ? The events of former times, of forty years ago, may be unknown to those who are born since. The attempt to surrender the navigation of the Mississippi ; to prevent the settlement of the West ; the refusal to protect the early settlers of Kentucky and Tennessee, or to procure for them a cession of Indian lands ; all these trials, in which the South was the saviour of the West, may be unknown to the young generation, that has come forward since ; and with respect to these events, being uninformed, they may be unmindful and ungrateful. They did not see them ; and, like the second generation of the

Israelites, in the Land of Promise, who knew not the wonders which God had done for their forefathers in Egypt, they may plead ignorance, and go astray after strange gods—after the Baals and the Astaroths of the Heathen ; but not so of the events of the last war. These they saw ! the aid of the South they felt ! the deeds of a party in the north-east, they felt also ! Memory will do its office for both ; and base and recreant is the son of the West, that can ever turn his back upon the friends that saved, to go into the arms of the enemy, that mocked and scorned him in that season of dire calamity.

I proceed to a different theme. Among the novelties of this debate, Mr. President, is that part of the speech of the Senator from Massachusetts which dwells, with such elaboration of argument and ornament, upon the love and blessings of Union, the hatred and horror of disunion. It was a part of the Senator's speech which brought into full play, the favorite, Ciceronian figure, of amplification. It was up to the rule in that particular. But, it seemed to me, that there was another rule, and a higher, and a precedent one, which it violated. It was the rule of *Propriety* ; that rule which requires the fitness of things to be considered ; which requires the time, the place, the subject, and the audience, to be considered ; and condemns the delivery of the argument, and all its flowers, if it fails in congruence to these particulars. I thought the essay upon union, and disunion, had so failed. It came to us when we were not prepared for it, when there was nothing in the Senate, nor in the country, to grace its introduction ; nothing to give, or to receive, effect to, or from, the impassioned scene that we witnessed. It may be, it was the prophetic cry of the distracted daughter of Priam, breaking into the Council, and alarming its tranquil members with vaticinations of the fall of Troy : But to me, it all sounded like the sudden proclamation for an earthquake, when the sun, the earth, the air, announced no such prodigy ; when all the elements of Nature were at rest, and sweet repose pervading the world. There was a time, Mr. President, and you, and I, and all of us, did see it, when such a speech would have found, in its delivery, every attribute of a just and rigorous *Propriety* ! It was at the time when the Five-striped-banner was waving over the land of the North ! when the Hartford Convention was in session ! when the language in the Capitol was, "Peaceably if we can, forcibly, if we must !" when the cry, out of doors, was, "the Potomac the boundary ; the negro States by themselves ! The Alleghanies the boundary, the western savages by themselves ! The Mississippi the boundary, let Missouri be governed by a Prefect, or given up as a haunt for wild

beasts !” That time was the fit occasion for this speech and if it had been delivered then, either in the Hall of the House of Representatives, or in the Den of the Convention, or in the high way, among the bearers and followers of the Five-striped-banner, what effects must it not have produced ? What terror and consternation among the plotters of disunion ! But, here, in this loyal and quiet assemblage, in this season of general tranquillity and universal allegiance, the whole performance has lost its effect for want of affinity, connexion, or relation, to any subject depending, or sentiment expressed in the Senate ; for want of any application, or reference, to any event impending in the country.

I now take leave, Mr. President, of this part of my subject, with one expression of unmixed satisfaction, at a part, a very small part, of the speech of the Senator from Massachusetts ; it is the part in which he disclaimed, in reply to an inquiry from you, sir, the imputation of a change of policy on the Tariff and Internal Improvement questions. Before that disclaimer was heard, a thousand voices would have sworn to the imputation ; since, no one will swear it. And the reason given for not referring to you, for not speaking *at* you, was decent and becoming. You have no right of reply, and manhood disdains to attack you. This I comprehend to have been the answer, and the reason, so promptly given by the Senator from Massachusetts, in reply to your inquiry. I am pleased at it. It gives me an opportunity of saying there was something in that speech which commands my commendation, and, at the same time, relieves me from the duty of stating to the Senate a reason why the presiding officer, being Vice President of the United States, should not be struck at from this floor. He cannot reply!—and that disability is his shield in the eyes of all honorable men.

FEBRUARY 2, 1830.—*Fourth Day.*

I touched incidentally, Mr. President, towards the conclusion of my speech of yesterday, on the large—I think I may say despotic—power, claimed by the Senator from Massachusetts [Mr. WEBSTER] for the Federal Supreme Court, over the independent States, whose voluntary union has established this Confederacy. I touched incidentally upon it, and now recur to it for the purpose of making a single remark, and presenting a single illustration of the consequences of that doctrine. That Court is called Supreme ; but this character of supremacy, which the Federal Constitution bestows upon it, has reference to inferior courts—the District and Circuit Courts—and not to the States of this Union. A power to decide on the Federal Constitutionality of State laws, *and to bind the States by the decision, in the manner asserted by the Senator*

from *Massachusetts*, is a power to govern the States. It is power over the *sovereignty* of the States; and that power includes, in its practical effects, authority over every minor act and proceeding of the States. The range of Federal authority was large under the words of the Constitution; it is becoming unlimited under the assumption of implied powers. The room for conflict between Federal, and State laws, was sufficiently ample, in cultivating the clear and open field of the expressed powers; but, when the exploration of the wilderness of implications is to be added to it, the recurrence of these conflicts becomes incessant and universal, covering all time, and meeting at every point of State or Federal policy. The annihilation of the States, under a doctrine which would draw all these conflicts to the Federal Judiciary, and make its decisions binding upon the States, and subjected to the penalties of treason all who resisted the execution of these decrees, would produce that consequence. It would annihilate the States! It would reduce them to the abject condition of provinces of the **FEDERAL EMPIRE!** It would enable the dominant party in Congress, at any moment, to execute the most frightful designs. Let us suppose a case—one by no means improbable—on the contrary, almost absolutely certain, in the event of the success of certain measures, now on foot: The late Mr. King, of New York, when a member of the American Senate, declared upon this floor, that slavery in these United States, in point of law and right, did not exist, and could not exist, under the nature of our free form of Government; and that the Supreme Court of the United States would so declare it. This declaration was made about ten years ago, in the crisis, and highest paroxysm, of the Missouri agitation. Since then we have seen this declaration repeated and enforced, in every variety of form and shape, by an organized party in all the non-slaveholding States. Since then, we have seen the principles of the same declaration developed in legislative proceedings, in the shape of committee reports and public debate, in the halls of Congress. Since then we have had the *D'Auvergne* case, and seen a petition presented from the Chair of the House of Representatives, Mr. JOHN W. TAYLOR being Speaker, in which the *total destruction* of all the States that would not abandon slavery was expressly represented as a *sublime* act. With these facts before us, and myriads of others, which I cannot repeat, but which are seen by all, the probability of a federal legislative act against slavery, rises in the scale, and assumes the character of moral certainty, in the event of the success of certain designs, now on foot. So much for what may happen in Congress. Now for the Judiciary.

I have just referred to the declaration of an Ex-Senator [Mr. KING of New York] of all others the best acquainted with the *areana* of his party—who was to that party for a full quarter of a century, the law and the prophets—for a bold assertion of what the Supreme Court would do in a question of existence, or non-existence of slavery in the United States. He openly asserted that the Supreme Court would declare that no such thing could exist! It is not to be presumed that that aged, experienced, informed and responsible Senator would have hazarded an assertion of such dire and dreadful import—an assertion so delicately affecting the Judges then on the Bench of that Court—a majority of them his personal and political friends—and looking to such disastrous consequences to the Union, without probable, if not certain grounds, for the basis of his assertion. That he had such grounds, so far at least as one of the Judges was concerned, seems to be incontestable. A charge delivered to a Grand Jury by Mr. Justice Story, at Portsmouth, New Hampshire, in the month of May, 1820—(for the date is material—it tallies, in point of time, with the assertion in the Senate, and was classed for Review, as an article of politics, in the North American Review, with the substance of Mr. King's two speeches, on the floor of the Senate, which were the signal for the Missouri strife—a signal as well understood, and as implicitly obeyed, as the signal for battle in the Roman Camp, when the Red Mantle of the Consul was hung on the outside of the tent:) this charge, to a Grand Jury, establishes the fact of authority for the assertion of Mr. King, so far at least, as one of the Judges is concerned. But as every man should be judged by his own words, and not upon the recital of another, let the charge itself be read; let the Judge announce his own sentiments, in his own language.

#### THE CHARGE—*Extract.*

“The existence of slavery under any shape is so repugnant to the natural rights of man and the dictates of justice, that it seems difficult to find for it any adequate justification. It undoubtedly had its origin in times of barbarism, and was the ordinary lot of those who were conquered in war. It was supposed that the conqueror had a right to take the life of his captive, and by consequence might well bind him to perpetual servitude. But the position itself on which this supposed right is founded is not true. No man has a right to kill his enemy, except in cases of absolute necessity; and this absolute necessity ceases to exist, even in the estimation of the conqueror himself, when he has spared the life of his prisoner. And even if in such cases it were possible to contend for the right of slavery, as to the prisoner himself, it is impossible that it can justly extend to his *innocent* offspring through the whole line of descent. I forbear, however, to touch on this *delicate* topic, not because it is not worthy of the most deliberate attention of all of us:

but it does not *properly fall* in my province on the present occasion."

\* \* \* \* \*

"And, gentlemen, how can we justify ourselves, or apologise, for an *indifference* to this subject? Our constitutions of government have declared that all *men* are born free and *equal*, and have certain unalienable rights, among which are the right of enjoying their lives, *liberty*, and property, and seeking and obtaining their own safety and happiness. May not the miserable African ask, 'Am I not a man and a brother?' We boast of our noble strength against the encroachments of tyranny, but do we forget that it assumed the mildest form in which authority ever assailed the rights; and yet there are men amongst us who think it no wrong to condemn the shivering negro to perpetual slavery."

\* \* \* \* \*

"We believe in the *Christian* religion. It commands us to have good will to all men; to love our neighbors as ourselves, and to do unto all men as we would they should do unto us. It declares our accountability to the Supreme God for all our actions, and holds out to us a state of future rewards and punishments, as the sanction by which our conduct is to be regarded. And yet there are men calling themselves Christians, who degrade the negro by ignorance to a level with the brutes, and deprive him of all the consolations of religion. He alone, of all the rational creation, they seem to think, is to be at once accountable for his actions, and yet his actions are not to be at his own disposal; but his mind, his body, and his feelings, are to be sold to perpetual bondage."

We will take the case of slavery then as the probable, and in the event of the success of certain designs now on foot, as the certain one, on which the new doctrine of judicial supremacy over the States, may be tried. The case of the Georgia Cherokees is a more proximate, and may be a precedent one; but, as no intimation of the possible decision of the court in that case, has been given, I shall pretermit it, and limit myself to the slavery case, in which the declaration of Mr. King, and the charge of one of the Judges leaves me at liberty to enter, without guilt of intrusion, into that *sanctum sanctorum* of the Judiciary—the privy chamber of the Judges—the door of which has been flung wide open. Let us suppose then that a law of Congress passes, declaring that slavery does not exist in the United States—that the States South of the Potomac and Ohio, with Missouri from the West of the Mississippi, deny the constitutionality of the law—that the Supreme Court takes cognizance of the denial—commands the refractory States to appear at its Bar—decides in favor of the law of Congress, and puts forth the decree which, according to the new doctrine, it is TREASON to resist! What next? Either, acquiescence or resistance, on the part of the slave States. Acquiescence involves, on the part of the States towards this Court, a practical exem-

plification of the old slavish doctrines of passive obedience and non-resistance which the Sacherrells of Queen Anne's time preached and promulgated in favor of the King against the subject; with all the mischief, super-added, of turning loose two millions of slaves here, as the French national convention and their agents, Santhonax and La Croix, had turned loose the slaves of the West India Islands. Resistance incurs all the guilt of treason and rebellion; draws down upon the devoted States the troops and fanatics of the Federal Government, arms all the negroes according to the principle declared in D'Auteville's case, and calls in, by way of attending to the women and children, the knife and the hatchet of those Georgia Cherokees which it is now the organized policy of a political party, to retain, and maintain, in the bosom of the South.

We have read, and heard, much, Mr. President, of late years of the madness and violence of the people—the tyranny and oppression of military leaders: but we have heard nothing of judicial tyranny, judicial oppression, and judicial subserviency, to the will, and ambition, of the King or President of a country. Nothing has been said on this branch of the subject, and, yet, nothing that I have ever seen, or read of, has sunk so deep upon my mind as the history of judicial tyranny, exemplified in the submission of the Judges to the will of those who made them. My very early reading led me to the contemplation of the most impressive scenes of this character, which the history of any country affords: I speak of the British State Trials, which I read at seven or eight years old under the direction of a mother, then a very young, now an aged widow. It was *her* wish to form her children to a love of LIBERTY, and a hatred of TYRANNY, and, with her, I had wept over the fate of Raleigh, and Russell, and Sydney, and I will add, the Lady Alice Lyle, before I could realize the conception that they belonged to a different country, and a different age, from my own. I drank deep at that fountain! I drew up repeated, copious and overflowing draughts of grief and sorrow, for suffering victims—of resentment, fear, and terror, for their cruel oppressors. Nothing which I have read in history since, not even the massacres of Marius and Sylla, nor the slaughters of the French Revolution, have sunk so deep upon my mind as the scenes which the British State Trials disclosed to me; the view of the illustrious of the land seized upon the hint of the King, carried to the dungeon, from the dungeon to the court, from the court to the scaffold; there, the body half-hung, cut down half-alive, the belly ript open, and the bowels torn out, the limbs divided and stuck over gates, the property confiscated to the King, the blood of



the family attainted, and widows and orphans turned out to scorn and want. Nothing which I have ever read equals the deep impression of these scenes ; partly because they came upon my infant mind, more, because it was a cold-blooded business, a heartless tyranny, in which the judges acted for the King, without passions of their own, and are stripped of all the extenuations which contending parties claim for their excesses when either gets the upper hand in the crisis of great struggles. True, these scenes of judicial tyranny and oppression existed long since ; but where is the modern instance of judicial opposition to the will of the King, or President, of the country for the time being ? Are there five instances in five centuries ? Are there four ? three ? two ? one ? No, not one ! The nearest approach to such opposition, in the history of the British Judiciary, is the famous case of the ship money, when four Judges, out of twelve, ventured an opinion against the Crown. In our own country no opposition from the Bench has gone that length. The odious, and notorious, sedition law was enforced throughout the land by Federal Judges. Not one declared against it ; and if a civil war, in that disastrous period between the Presidents Washington and Jefferson, had depended upon the judicial enforcement of that act, we should have had civil war. We have heard much, Mr. President, of the independence of the Judges, but since, about eight hundred years ago, when the old King Alfred hung four and forty of them in one year, for false judgments, there have been but few manifestations of judicial independence in reference to the power from which they derive their appointment. Since that time, the judges and the appointing power have usually thought alike in all the cardinal questions which affect that power. This may be accounted for without drawing an inference to the dishonor of the Judge, and as it will answer my purpose just as well to place the account upon that foot, I will cheerfully do it. I will say, then, that Kings and Presidents, having the nomination of judges, forever have chosen, and upon all the principles of human action with which I am acquainted, forever will chuse these high judicial officers from the class of men whose political creed corresponds with their own. This is enough for me ; it is enough for the illustration of the subject which we have in hand. Supposing, then, a certain design, now on foot, to succeed ; supposing, some four or eight years hence, a new creation of judges to come forth, either under a new law for the extension of the Judiciary, or to fill up vacancies ; supposing the doctrine to be established which is now announced by the Senator from Massachusetts, [Mr. WEBSTER,] and that Court has to pass upon a slavery law, or an Indian law, which

the States hold to be void, and the Court decree it to be binding, where is then the legitimate conclusion of the gentleman's doctrine? Passive obedience and non-resistance to the Supreme Court, and the President that made it, or civil war, with Indians and Negroes for the allies of the Federal Government. Sir, I do not argue this point of the debate; I have a task before me—the rectification of the assertions of the Senator from Massachusetts—which I mean to execute. I have turned aside from that task to make a remark upon the doctrine, and to illustrate it by an example, which would make the Supreme Federal Court despotic over the States. I return to my task, with repeating the words of him, [Mr. Randolph,] whose words will be the rallying cry of liberty and patriotism in ages yet to come: I repeat then, but without the magical effect of that celestial infusion which God vouchsafed to him,—divine elocution—the words which, three months ago, electrified the Virginia Convention: “*The chapter of Kings, in the Holy Bible, follows next after the chapter of Judges.*”

I will now, Mr. President, take up the instances, I believe there are but few of them, and that I can make short work of them, quoted by the Senator from Massachusetts (Mr. W.) in support of his assertion, that all the measures favorable to the West, have been carried by Northern votes in opposition to Southern ones. He asserted this to be the case from the beginning to the ending, from the first to the last, of the chapter of this Government; but he did not go back to the beginning of the chapter, nor even to the middle of it, nor in fact, further than some ten leaves of it. He got back to the year 1820,—just to the edge of the Missouri question, but not a word of that,—and began with the reduction of the price of Public Land from \$2, to \$1 25 per acre. That he proclaims as a Western measure, and dwells upon it, that New England gave thirty-three votes in favor of that reduction, and the four Southern States but thirty two! Verily, this is carrying the measure in opposition to the votes of the South, in a new and unprecedented sense of the word. But was it a western measure? The history of the day tells us no; that the Western members were generally against it, because it combined a change of terms from the credit, to the ready money system, with the reduction. This made it unacceptable to the Western members, and they voted against it almost in a body. The leading men of the West opposed it; Mr. Clay in a speech, with great earnestness. Mr. Trimble, and Mr. Metcalfe, of Kentucky, voted against it; both the Kentucky Senators did the same; both the present Senators from Indiana; the Representative from Illinois, and many

others. The opposition, though not universal, was general from the West; and no member lost the favor of his constituents on that account. The Senator's first instance, then, of New England favor to the West, happens to be badly selected. It fails at both points of the argument; at the alleged victory over the South, in behalf of the West, and at the essential feature of favor to the West itself. This is a pity. It knocks one leg off of the stool which had but two legs to it from the beginning. The Senator had but two instances, of New England favor to the West, prior to the cooing and billing of the Presidential Election in the House of Representatives in 1825. One of these is gone; now for the next. This next one, sole survivor of a stunted race, is the extension of credit to the land debtors in the year 1821. This I admit to be a measure of cherished importance to the West. Let us see how the rival parties divided upon it. The Senator from Massachusetts stated the division loosely, and without precision as to the numbers. He said that New England, with 40 members in the House of Representatives, gave more affirmative votes than the four Southern States with their 52 members. How many more he did not say; and that want of precision, induced me to cause the matter to be looked into, and the result appears to be that in the list of yeas, New England, on that occasion, beat the South two votes, and in the list of nays, she beat three votes. That is to say, she gave two votes more than the South did for the passage of the bill, and three votes more than the South against the passage of it! This leaves a majority of one in favor of the South, and so, off goes the other leg of the two legged stool; and the Senator from Massachusetts, according to my arithmetic, is flat upon the ground.

I think, Mr. President, it was in the triumph of his soul at having two instances, and those the ones I have dissected, in which New England gave favorable votes to the West, prior to the honey-moon of the Presidential election of 1825, that the Senator from Massachusetts, broke out into his "*time when*,"—"*manner how*," and "*cause why*,"—which seemed to have been received as attic wit "by some quantity of barren spectators," that chanced to be then present. I think it was in reference to these two instances that the Senator from Massachusetts made his address to the Senator from S. C. (Genl. HAYNE) and still ringing the changes upon the *when*, the *how*, and the *why*, said to the Senator from S. C. that if this did not satisfy him of the disinterested affection of the North East, to the West, prior to the scenes of soft dalliance, which accompanied the Presiden-

tial election of 1825, that he did not know *how* he ever would be satisfied. Good, sir, let us close a bargain,—pardon the phrase,—on that word. The Senator from Massachusetts knows of nothing to prove affection in the North East to the West, prior to the sweet conjunction and full consummation of 1825, except these two instances. They seemed to be but a poor dependence,—a small plaster for a large sore,—when he brought them forward: What are they now? Reduced to nothing,—literally nothing,—worse than nothing,—an admitted acknowledgment that the case wanted proof, and that none can possibly be found!

But the tariff! the tariff! That is a blessing, at least, which the West must admit it received from the Northeast! Not the tariff of 1824; for against that, it is avowed by the Senator from Massachusetts that the New England delegation voted in solid column. It is the tariff of 1828 to which he alludes, and for the blessings of which to the West, he now claims its gratitude to the Northeast. Upon this claim I have two answers to make: first, that this instance of affection to the West, is posterior to the election of 1825, and falls under the qualification of the entire system of changes which followed, consequentially, upon the approximation, and conjunction, of the planets which produced that event. Secondly, that almost the only item in that tariff of any real value to the West—the increased duty on hemp—was struck at from the Northeast, and defended from the South. The Senator from Massachusetts, to whom I am now replying, himself moved to expunge the clause which proposed to grant us that increase of duty. True, he proposed to substitute a nominal and illusory bounty on the insignificant quantity of hemp used on the ships of war of the United States, being the one twentieth part of what is used on the merchant vessels, and undertook to make us believe that the one twentieth part of a thing was more than the whole. He could not make us believe it. We refused his bounty; we voted 18 against him, being every Senator from the West; New England voted ten out of twelve against us; the South voted eight out of eight for us; and the increased duty on hemp was saved; saved by that South, in opposition to that New England, which the Senator from Massachusetts has so often declared to be the friend of the West, and to have carried every measure favorable to it in opposition to the votes of the South!

Internal improvement was the last resort of the Senator's ingenuity, for showing the affection of the Northeast to the West. It was on this point that his appeal to the West, and calls for an answer, were particularly addressed. The West will answer; and, in the first place

will show the amount, in value, in money, of the favors thus rendered, in order to ascertain the quantity of gratitude due, and demandable, for it. On this point we have authentic data to go upon. A resolution of the Senate, of which I was myself the mover, addressed to the ex-administration in the last year of its existence, called upon the then President to exhibit to the Congress a full statement of all the money expended by the Federal Government, from 1789 to 1828, in each of the States, upon works of internal improvement. The report was made, authenticated by the signatures of the President, Mr. Adams, the Secretary of the Treasury, Mr. Rush, and several heads of bureaus. It is No. 69, of the Senate Documents for the session 1828—1829. and at page 13 of the Document, the table of recapitulation is found, which shows the amount expended in each State. Let us read some items from it.

## THE TABLE.

1. Kentucky.....	\$ 90,000
2. Tennessee.....	4,200
3. Indiana.....	nothing.
4. Illinois.....	8,000
5. Mississippi.....	23,000
6. Missouri.....	nothing.
7. Louisiana.....	do.

A most beggarly account, Mr. President ! About \$125,000 in seven Western States, up to the end of that Administration, which assumed to be the exclusive champion of internal improvement. A small sum truly, for the young and blooming West to take, for the surrender of all her charms, to the ancient and iron-hearted enemy of her name. Ohio, it is not to be dissembled, has received something more ; but that depends upon another principle, the principle of governing the West through her.

But the Cumberland road ; that great road, the construction of which, as far as the Ohio river, cost near two millions of dollars. Sir, the man must have a poor conception of the West, who considers the road to Wheeling as a Western object, to be charged upon the funds and the gratitude of the West. To the Eastern parts of Ohio it may be serviceable ; but to all beyond that State, it is little known except by name. A thousand Eastern people travel it for one farmer or mechanic of Indiana, Illinois, Missouri, Kentucky, or Tennessee. It is, in reality, more an Eastern than a Western measure, built in good part with Western money, taken from the Western States, as I humbly apprehend, in violation of their compacts with the Federal Government. These compacts stipulate that two per cent. of the nett proceeds of the sales of the

public lands shall be laid out by Congress in making roads, or canals "*to*" the States, not *towards* them. The laws for building the Cumberland road have seized upon all this fund, already amounting in the four Northwestern States to \$326,000, and applied it all to the Cumberland road. The same laws contain a curious stipulation, not to be found in any other law for making a road, which stipulates for the future reimbursement, out of the two per cent. fund, of all the money expended upon it. This truly is a new way of conferring a favor, and establishing a debt of gratitude! But when did the New England votes in favor of this road, and other Western objects, commence. How do they compare before, and since the Presidential election of 1825? Let the journals tell. Let confronting columns display the contrast of New England votes, upon this point, before and after that election.

#### THE CONTRAST.

##### BEFORE '25.

1. April 8th, 1816. To postpone bill to construct roads and canals—yeas, 7 out of 10.

2. March 6th, 1816. Bill to relieve settlers on public lands by allowing them to enter the lands, &c.—nays, 8 out of 10.

3. January 29th, 1817. Bill to admit Mississippi as a State into the Union—nays, 7 out of 10.

4. May 19th, 1824. Bill to improve the navigation of the Ohio river—nays, 7 out of 12.

5. April 24th, 1824. Bill for surveys of roads, &c.—nays, 9 out of 12.

##### SINCE '25.

1. February 24th, 1825. Motion to postpone appropriation for Cumberland road—yeas, 5 out of 12.

2. March 1st, 1826. Bill to repair Cumberland road—nays, 2 out of 12.

3. January 24th, 1827. Bill extending Cumberland road—nays, 5 out of 12.

4. March 28th, 1828. Bill to give land to Kenyon College—3 out of 12.

5. December, 1828. Bill for making compensation for Indian depredations in Missouri—yeas, 4 out of 12.

Yes, Mr. President, the Presidential election of 1825 was followed by a system of changes. There seems to have been a surrender and sacrifice of principles, on that occasion, somewhat analogous to the surrender, and murder, of friends which followed the conjunction of Anthony, Lepidus and Cesar. It would seem that some guardian genius had whispered, the "Tariff, Internal Improvement, and Slavery, are the questions to govern this Union: Now let us all agree, and throw up old scruples, and work together upon Slavery, Tariff, and Internal Improvement." They did throw up! Old scruples flew off like old garments. Leading politicians came "to the right about:" the rank and file followed; and the consequence was the confronting votes, and conduct, which five years of explanations and justifications leave at the exact point at which they began.

The canal across the Alleghanies is mentioned. I utterly disclaim and repudiate that canal as a Western object. And here, Mr. President, I take up a position which I shall fortify and establish on some future occasion. It is this : That every canal, and every road, tending to draw the commerce of the Western States across the Alleghany mountains, is an injury to the people of the West. My idea is this : That the great and bulky productions of the West will follow the course of the waters, and float down the rivers to New Orleans ; that our export trade must, and will, go there ; that this city cannot buy all, and sell nothing ; that she must have the benefit of the import trade with us ; that the people of the West must buy from *her* as well as she from them ; that the system of exchange and barter must take effect there ; that if it does not, and the West continues to sell its world of productions to New Orleans for ready money, and carries off that money to be laid out in the purchase of goods in Atlantic cities, the people of the West are themselves ruined ; for New Orleans cannot stand such a course of business ; she will fail in supplying the world of money which the world of produce requires ; and the consequence will be the downfall of prices in every article. This is somewhat the case now. New Orleans is called an uncertain market ; her prices for beef, pork, flour, bacon, whiskey, tobacco, hemp, cotton, and an hundred other articles, are compared with the prices of like articles in the Atlantic cities, and found to be less ; and then she is railed against as a bad market ; as if these low prices was not the natural and inevitable effect of selling every thing, and buying nothing, there. As to the idea of sending the products of the West across the Alleghanies, it is the conception of insanity itself ! No rail roads or canals will ever carry them, not even if they do it gratis ! One trans-shipment, and there would have to be several, would exceed the expense of transportation to New Orleans, to say nothing of the up-stream work of getting to the canal, or rail way ; itself far exceeding the whole expense, trouble, and delay of getting to New Orleans. Besides, such an unnatural reversal of the course of trade would be injurious to the Western cities—to Cincinnati, Louisville, St. Louis, and to many others. It would be injurious and fatal to our inland navigation—the steamboats of the West. They are our ships ; their tonnage is already great, say 300,000 tons ; the building of them gives employment to many valuable trades, and creates a demand for many articles which the country produces. To say nothing of their obvious and incredible utility in the transportation of persons, produce, and merchandize, each steam-boat has itself be-

come a market, a moving market that comes to the door of every house on the rivers, taking off all its surplus fowls, and vegetables ; all its surplus wood ; the expenditure for this single object, wood, in the past year, in two calculations made for me, ranged between nine hundred thousand, and one million of dollars. No, sir, the West is not going to give up their steam boats,—their ships, not of the desert, but of noble rivers. They are not agoing to abandon the Mississippi, *mare nostrum*,—our sea,—for the comfort of scaling the Alleghany mountains with hogsheads of tobacco, barrels of whiskey, pork, and flour, bales of hemp, and coops of chickens and turkeys, on their backs ! We are not agoing to impoverish New Orleans, by selling our produce to her, and buying our merchandize elsewhere, and in that impoverishment committing suicide upon ourselves. Nor am I going to pursue this subject, and explore it in all its important bearings at this time ; I have that task to perform ; but it will be reserved for another occasion.

I resume the subject of Internal Improvement. I say, and I say it with the proof in hand, that this whole business has been a fraud upon the West. Look at its promise and performance. Its promise was, to equalize the expenditure of public money, and to counterbalance, upon roads and canals in the West, the enormous appropriations for fortifications, navy yards, light houses, and ships, on the Atlantic board ; its performance has been, to increase the inequality of the expenditure ; to fix nearly the whole business of Internal Improvement on the east of the Alleghany mountains ; to add this item, in fact, to all the other items of expenditure in the East ! Such was the promise ; such has been the performance. Facts attest it ; and let the facts speak for themselves.

#### THE FACTS.

1. Cumberland road to Wheeling.	\$ 2,000,000
2. Delaware Breakwater, (required)	2,500,000
3. Canal over the Allegany, (subscribed)	1,000,000
4. Baltimore Rail Road, (demanded)	1,000,000
5. Delaware and Chesapeake Canal,	450,000
6. Nantucket harbor, (demanded)	900,000

Here we go by the million, Mr. President, while the West, to whom all the benefits of this system were promised, obtains with difficulty, and somewhat as a beggar would get a penny, a few miserable thousands. But, sir, it is not only in the great way, but in the small way also, that the West has been made the dupe of this delusive policy. She has lost not only by the gross, but by retail. Look at the facts again. See what her partner in this work of Internal Improvement—the Northeast—which commenced business with her in 1825, has since



received, in the small way, and upon items that the West never heard of, under this head of Internal Improvement.

#### THE FACTS AGAIN :

1. Preservation of Little Gull Island,	\$30,000
2. Preservation of Smutty Nose Island,	15,000
3. Preservation of Plymouth beach,	49,000
4. Preservation of Islands in Boston harbor,	63,000
5. Improvement of the Hyannis harbor,	10,000
6. Improvement of Squam and Gloucester,	6,000
7. Preservation of Deer Island,	87,000
8. Removing a Sand bar in Merrimac river,	32,000
9. Building a pier at Stonington,	20,000
10. Making a road to Mars' hill,	57,000

Near \$ 400,000, Mr. President, actually paid out in this small way, and upon these small items, in New England, while seven States in the West, up to the last day of the Coalition administration, had had expended within their limits, for all objects, great and small—Indian roads, and the light-house at Natchez included—but \$125,000. And this, sir, is the New England help for which the Senator from Mass. (Mr. W.) stood up here, challenging the gratitude of the West ! But this is not all ; the future is still to come ; a goodly prospect is ahead ; and let us take a view of it. The late administration, in one of its communications to Congress, gave in a list of projects selected for future execution. I will recite a few of them.

#### THE PROJECTS.

1. Improvement at Saugatuck.
- 2 do. at Amounisuck.
3. do. at Pasumsic.
4. do. at Winnispisceogee.
5. do. at Piscataqua.
6. do. at the Ticonic Falls.
7. do. at Lake Memphramagog.
8. do. at Conneaut creek.
9. do. at Holmes' hole.
10. do. at Lovejoy's narrows.
11. do. at Steele's ledge.
12. do. at Cowhegan
13. do. at Androscoggin.
14. do. at Cobbiesconte.
15. do. at Ponceaupechaux, *alias*, Soapy-Joe

Such, Mr. President, are a sample of the projects held in abeyance by the late administration, and to be executed in future. They were selected as *national* objects ! —national !—and not a man in the two Americas, outside of the *nation* of New-England, who can take up the list, and tell where they are, without a prompter or a gazetteer. And now, sir, what are the results of this partner-

ship, of five years standing, between the West and North-East, in the business of internal improvement?—First : Nothing, or next to nothing, for Kentucky, Tennessee, Alabama, Mississippi, Louisiana, Illinois, Indiana, and Missouri.—Secondly : Eight or nine millions of dollars for large objects, east of the Allegany mountains.—Thirdly : Near \$400,000 for small neighborhood objects, in New-England.—Fourthly : A selection of objects in the north east, for future national improvement, the very names of which are unknown in the neighboring States. These are the results. Let any one weigh and consider them, and say whether this business of internal improvement, has not been a delusion upon the West ; if our partners in the East have not kept the loaf under their own arm, and cut off two or three huge huncks for themselves for every thin and narrow slice which they threw to us ? What is worse, that is to say, what is truly mortifying to our pride, is, that we are not allowed to chuse for ourselves. It is in vain that we contend, that western objects should be somewhere in the valley of the Mississippi ; our partners, assuming the office of guardians, tell us it is a mistake ; that every true, genuine, native-born, full-blooded western improvement, must begin upon the Atlantic coast, and if one end of it points towards the setting sun, that is enough. It is now six years, Mr. President, since I made a movement upon an object actually western ; one which, being completed, will produce more good for less money, according to my belief, than any other of which the wide extent of this confederacy is susceptible. It is the series of short canals, sir, amounting in the aggregate to twenty-seven miles, which would unite New-Orleans and Georgia—which would connect, by an inland steam-boat navigation, safe from storms, pirates, privateers, and enemies fleets, the Chatahooche and the Mississippi, the bays of Mobile, Pensacola, and St. Marks ; and enable the provisions of the western country to go where they are exceedingly wanted, to the cotton plantations on the rivers Amite, the Pearl, and Pascagoula, in the State of Mississippi ; the Tombecbee and Alabama rivers, in the State of Alabama ; the Conecuh and Escambia, in West Florida ; the Chatahoochee, for five hundred miles up it, on the dividing line of Georgia and Alabama. The Senator from Louisiana, who sits on my left, (Mr. JOHNSTON,) moved the bill that obtained the appropriation for surveying this route, four years ago ; the Senator from the same State, who sits on my right, (Mr. LIVINGSTON) has sent a resolution to the Road and Canal Committee, to have the work began ; and the fate of this undertaking may illustrate the extent to which the voice of the West

can go, in selecting objects of improvement within its own limits, and for itself.

Such are the results of the Western attempts to equalize expenditures, to improve their roads and enrich themselves upon public money by means of the Internal Improvement power exercised by the Federal Government. The South, we are told, and told truly, has voted no part of these fine allowances to the West. And thence it is argued, and argued incorrectly, that she is an enemy to the West. Sir, the brief answer to that charge of enmity, is, that she has voted nothing on this account for herself; she has voted for us as she did for herself; the argument should be, that she loved us as well as she did herself; and this is all that conscionable people can require. But another view remains to be taken of this affection, which is to be tried by the money standard. It is this: That, if the South has voted us no public money for roads and canals, they have paid the West a great deal of their own private money for its surplus productions. The South takes the provisions of the West, its horses and mules besides, and many other items. The States south of the Potomac, south of the Tennessee river, and upon the lower Mississippi, is the gold and silver region of the West. Leave out the supplies which come from this quarter, and the stream that Missouri is drawing from Mexico, also to the South of us, and all the gold and silver that is derived from other places,—from any places north of Mason's and Dixon's line—would not suffice to pay the postage of our letters, and the ferriage of our rivers. This Southern trade is the true and valuable trade of the West; the trade which they cannot do without; and with these States it is proposed that we shall have a falling out, turn our backs upon them, and go into close connexion with a political *caste* in a quarter of the Union from which the West never did, and never can, find a cash market for her surplus products. I know that the West, Mr. President, is not credited for much sagacity, and the result of her Internal Improvement partnership, goes to justify the *Bentian* imputation to which we have been subject; but there are some things which do not require much sagacity, nor any book learning, to discover how they lie. Little children, for example, can readily find out on which side their bread is buttered, and the grown men of the West can as quickly discover from which side of Mason and Dixon's line, their gold and silver comes. We hear much about binding the different sections of the Union together; every road and every canal is to be a chain for that purpose. Granted. But why break the chains which we have already? Commerce is the strongest of all chains. It is the chain of interest. It binds together

the most distant nations ; aliens, in color, language, religion and laws. It unites the antipodes,—men whose feet are opposite, whose countries are separated by the entire diameter of the solid globe. We have a chain of this kind with the South, and, wo to the politician that shall attempt to cut it, or break it.

The late Presidential election was an affair of some interest to the West. The undivided front of the western electoral vote attested the unity, and the intensity, of her wishes on that point. Was that election carried by northern votes in opposition to southern ones ? Was the West helped out by the North, in that hard struggle of four years duration ? Yes, to the extent of one electoral vote from the republican district of Maine ; to the extent of many thousand individual votes ; but these came from the democracy, some few exceptions ; but nothing from that party which now assumes to be the friend of the West, and so boldly asserts that every western measure has been carried by northern, in opposition to southern votes.

The graduation bill, Mr. President, is a western measure : there is no longer any dispute about that. It came from the West, and is supported by the West. Memorials from eight legislatures have demanded it ; seventeen, out of eighteen, western Senators have voted for it. Has the northeast carried that bill in opposition to the South ? It has repeatedly been before both Houses—was once on its final passage in this chamber, and wanted four votes, which was only a change of position in two voters, to carry it. Did the northeast, out of her twelve voters present, give us these two ? She did not. Did she give us one ? No, not one. There was but one from the North of Mason and Dixon's line, and that of an honorable Senator—I do not call him honorable by virtue of a rule—who is no longer a member of this body ; I speak of Mr. Ridgely, of Delaware ; that little State whose moral and intellectual strength on this floor has often kept her in the first rank of importance. How was it to the South ? A brilliant and powerful support from the Senator of Virginia, not yet in his seat, [Mr. TAZEWELL,] whose name, for that support, is borne with honor upon the legislative page of Missouri and Illinois ; a firm support from the two Senators from Georgia, [Messrs. COBB and BERRIEN,] since ceased to be members. A motion for reconsideration from the venerable MACON—the friend of me and mine through four generations in a straight line—to reconsider the vote of rejection with a view of passing the main part, the first section, which contained the whole graduation clause. Several other Senators from the South, who then voted against the bill, expressed a de-

termination to examine it further, and intimated the pleasure it would give them to vote for it at another time if found, upon further examination, to be as beneficial as I supposed. Thus stood the South and West upon that greatest and truest of all western measures; and we shall quickly see how they stand again; for the graduation bill is again before the Senate, and next in order after the subject now in hand.

How stand the North and South on another point of incalculable interest to the West; the motion now under discussion—no, not now under discussion—the motion now depending, to stop the surveys, to limit the sales of public lands, and to abolish the offices of the Surveyors General? How stand the parties on that point? Why, as far as we can discover, without the report of yeas and nays, the Northeast, with the exception of the Senator from New Hampshire on my right [Mr. WOODBURY] against us; the South unanimous for us. And thus, the very question which has furnished a peg to hang the debate on which has brought out the assertion, that every measure friendly to the West, has been carried by New England votes in opposition to Southern votes, is itself evidence of the contrary, and would have placed that evidence before the West in the most authentic form, if the ingenious Senator from Massachusetts [Mr. WEBSTER] had not evaded that consequence by moving an indefinite postponement, and thereby getting rid of a direct vote on the resolution which has become current under the name of the Senator who introduced it. [Mr. Foor of Connecticut.]

How stand the South and North upon another point, also of overwhelming concern to the West: the scheme for partitioning out the new States of the West among the old ones? Whence comes that scheme? Who supports it? What its real object? The West will be glad to know the *when*, the *why*, and the *how*, of that new and portentous scheme. But, first, what is it? Sir, it is a scheme to keep the new States in leading strings, and to send the proceeds of the sales of the public lands to the States from which the public lands never came. It is a scheme to divide the property of the weak among the strong. It is a scheme which has its root in the principle which partitioned Poland between the Emperors of Russia and Germany, and the King of Prussia. Whence comes it? From the Northeast. How comes it? By an innocent and harmless resolution of inquiry! When comes it? Contemporaneously with this other resolution of innocent and harmless inquiry into the expediency of limiting the settlement, checking emigration

to the West, and delivering up large portions of the new States to the dominion of wild beasts. These two resolutions come together, and of them it may be said, "*These two make a pair.*" A newspaper in the North East contained a letter written from this place, giving information that the resolution of the Senator from Connecticut, (Mr. Foor) was brought in to anticipate and forestal the graduation bill. I saw the resolution in that light, Mr. President, before I saw the letter. I had announced it in that character long before I received the letter, and read it to the Senate. This resolution then was to check-mate my graduation bill ! It was an offer of battle to the West ! I accepted the offer ; I am fighting the battle : some are crying out, and hauling off, but I am standing to it, and mean to stand to it. I call upon the adversary to come on and lay on, and I tell him—

" Damned be he that first cries out, ENOUGH."

Fair play and hard play, is the game I am willing to play at. War to the knife, and the knife to the hilt ; but let the play be fair. Nothing foul ; no blackguardism. This resolution then from the other end of the Capitol, twin brother to the one here, comes from the North East ; is resisted by the South, and is ruinous to the West. New Hampshire, Rhode Island, Connecticut, Vermont, New Jersey, and Delaware, were unanimous for it ; Massachusetts 9 to 1 for it ; South Carolina and Georgia were un-animously against it ; Virginia 10 to 1 against it ; North Carolina 8 to 4 against it. This scene presents itself to my mind, Mr. President, as a picture with three figures upon it. First, the young West, a victim to be devoured. Secondly, the old North, attempting to devour her. Thirdly, the generous South, ancient defender and saviour of the West, stretching out an arm to save her.

Let these two resolutions pass, and ripen into the measures which their tenor implies to be necessary ; and the seal is fixed, for a long period, on the growth and prosperity of the West. Under one of them the sales of the lands will be held back ; under the other, every possible inducement will arise to screw up the price of all that is sold. From that moment, the West must bid adieu to all prospect of any liberal change in the policy of the United States in the sale and disposition of the Public Lands ; no more favor to the settler ; no justice to the States ; no sales on fair and equitable terms. Grinding avarice will take its course, and feed full its deep and hungry maw. Laws will be passed to fix the minimum price at the highest rate ; agents will be sent to attend the sales, & bid high against the farmer, the settler and the cultivator. Dreadful will be the prices then

run up. The agents will act as attorneys for the plaintiffs, in the execution. The money is coming to the States they represent ; they can bid what they please. They can bid off the whole country, make it the property of other States, and lease, or rent, small tracts to the inhabitants. The preservation of the timber will become an object of high consideration with these new Lords Proprietors ; and hosts of spies, informers, prosecutors, and witnesses, will be sent into the new States, to waylay the inhabitants, and dog the farmers round their fields, to detect, and prosecute, the man who cuts a stick, or lifts a stone, or breaks the soil of these new masters and receivers. While the land is public property, and the proceeds go into the Treasury, like other public money, there is less interest felt in the sales by the individual States ; but, from the moment that the proceeds of the sales are to be divided out by a rule of proportion which would give nearly all to the populous States, from that moment, it would be viewed as *State property*, and every engine would be set to work to make the lands produce the utmost possible farthing for the individual States. Each member of Congress would calculate, in ever question of sale or gift, how much his State, and how much he himself, as a unit in that State, was to gain or lose by the operation. And, who are to be the foremost and most insatiable of these new Lords Proprietors ? Let the vote, on the reference of the resolution, answer the question ; let it tell. They are the States which never gave any land to the Federal Government ! Massachusetts and Maine, which retained their thirty thousand square miles of vacant territory, and are now selling it at 25, at 20, at 10, and at 5 cents per acre. Connecticut, which seized upon two millions of acres of the land which Virginia had ceded to the Federal Government, and held fast to the jurisdiction as well as the soil, until the Congress agreed to give her a deed "to all the right, title, interest, and estate of the United States," to the soil itself. Who are our defenders ? They are the States south of the Potomac, which were themselves the great donors of land to the Federal Government. Virginia, the Carolinas, Georgia ; these are our defenders ! And without their defence, the West would fare now, as she would have fared without it, forty years ago, in the times of the Old Confederation.

I have now, Mr. President, gone through the "*chapter*" of the conduct of the Federal Government, and the relative affection of the NORTH and SOUTH to the West. I commenced without exordium, and shall finish without peroration. On two points more, and only two, I wish to be understood.

*First*, as to the reason which has induced me to enter, with this minuteness and precision of detail, into the question of relative affection from the North and South towards the West. That reason is this : that having been accustomed, for the last five years, to see and hear the South represented as the enemy of the West, and the Northeast as its friends, and in the very words used by the Senator from Massachusetts, (Mr. W.) on this floor, and having always maintained the contrary in the West, I could not, without suffering myself to be gagged hereafter with an unanswerable question, sit still and hear the same things repeated on this floor, without entering my solemn dissent, supported by authentic references, to their truth ; especially, when I labor under the thorough conviction, that the object of these statements, both in the West, and in this chamber, is to produce a state of things hostile to the well-being of this Confederacy. *Secondly*, That in repeated references, in the course of my speech, to the Federal Party in the United States, I mean no proscription of that party in mass. I have a test to apply to each of them, and according to the proof of that test does the individual appear fair, or otherwise, before me. The test is this : *Is he faithful to his country in the hours of her trial?* As this question can be answered, so does he stand before me, a fair candidate, or otherwise, for a rateable proportion of the offices, subordinate to the highest, which this country affords. This declaration, I trust, Mr. President, will not be received as arrogant, but taken in its true spirit, as a qualification due to myself, of things said in debate, and which might be misunderstood. I am a Senator—have a voice upon nominations to office—and the country has a right to be informed of my principles of action, in the discharge of that important function.









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